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No. 92

N° 92

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 19 October 2000

Jeudi 19 octobre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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Published by the Legislative Assembly of Ontario



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Toronto ON M7A 1A2

Téléphone, 416-325-7400 ; télécopieur, 416-325-7430

Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 19 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 19 octobre 2000

The House met at 1000.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

ONTARIO WATER RESOURCES AMENDMENT ACT (WATER TAKING PERMIT NOTIFICATION), 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES RESSOURCES EN EAU DE L'ONTARIO (AVIS RELATIFS AUX PERMIS DE PRÉLÈVEMENT D'EAU)

Mrs Dombrowsky moved second reading of the following bill:

Bill 121, An Act to amend the Ontario Water Resources Act with respect to water taking permit notification / *Projet de loi 121, Loi modifiant la Loi sur les ressources en eau de l'Ontario à l'égard des avis relatifs aux permis de prélèvement d'eau.*

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes to make her presentation.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I am honoured this morning that I have an opportunity to address a bill that I've brought forward for consideration. I think it's a very important bill. It's certainly important within my riding. From what I've come to understand since we embarked on the journey of a private member's bill, there are many municipalities, communities and agencies across Ontario that believe this is an important first step to establishing a plan to manage the water resources of this province.

I'll just take a few minutes to talk a bit more about the genesis of this bill. Within my riding, residents in the community of Centre Hastings became aware that a permit had been issued to take 1.3 million litres of water a day out of the springhead of a stream that fed many local communities. Understandably, the residents in the area were most concerned. They were concerned for a couple of reasons. Of course they worry very much about their water source. Historically, there have been issues of wells going dry during the summer months, and with the removal of that much water at the springhead, there was

the very real, and I think justifiable, concern that that condition would probably worsen.

The other issue was the fact they had not been notified, that there had not been any kind of notification to the community, either to the municipality or to the conservation authority, prior to the issuing of the permit. So they were most surprised that a community water resource could be impacted in this way without an opportunity for the community to provide input on that. So the concern came to me.

As we investigated the issue of water-taking permits, we came to understand, with regard to notification, that when a permit to take water is applied for in Ontario, it is a part of the regulation that the director of the Ministry of the Environment, upon reviewing the application, may contact municipalities and conservation authorities or community agencies, but there is no requirement that says the director must. What we've come to understand and what we've come to determine in our research is that it rarely happens, if at all.

In fairness to the ministry, there is the EBR Web site and permits to take water are published on the EBR Web site, but not all permits. I think it's important for members of this House and the people of Ontario to understand that any permit that would be for a period of less than one year, or any renewal, would not be posted on the EBR Web site. We are aware, as well, of cases where requests for permits that should have been put on the Web site were not. It was an oversight, and that certainly happens. But the reality is that a community did not have appropriate notification. The other problem with the Web site, of course, is that not all communities or people within communities in the province would have access to that technology. So we don't believe that is the best way to ensure notification.

When we thought about how this might indeed happen, we have the bill before us this morning. It's very short and very simple. It is the result of some consultations I've had with people in my riding, with constituents who are very concerned about this issue. I've had an opportunity to talk with my colleagues about the best way to deal with this important issue within the province in the most expeditious fashion. So we've brought to the Legislature today a very short and concise piece of legislation that we believe is a first step to the responsible management of water resources in Ontario. It's very simple, and it's something that can be implemented almost immediately. Certainly, with regard to the people

who have contacted me in support of this, that is what they would say we need.

At this time, I'd like to make reference to a letter on this bill, which I have received from the Credit Valley Conservation Authority. They say:

"The Credit Valley Conservation Authority has long been advocating reform to this ineffective permit process, and we believe that your bill provides a first step in this direction.

"We trust that all members of the provincial Parliament will support this bill and the modest change in the process that it represents."

This is one of the agencies that have offered support to this bill.

It's also important to note that the Association of Municipalities of Ontario wrote to the Minister of the Environment in May 2000 to indicate that the regulation should be changed. The AMO recommended that rather than reading "the director may ensure that governmental authorities are notified," the word "may" should be changed to "will be notified." Consequently, and I'm sure you won't be surprised when I share it with you, on October 16 I received a letter from the president of the Association of Municipalities of Ontario, and I'll quote from the letter: "The amendment to the Ontario Water Resources Act that is proposed in the bill would be a step in the right direction toward better consultation and better coordination with regard to water-taking permits."

I think it certainly is important for all of us to understand that those constituent agencies feel very strongly that this is a first step in the right direction, and I appreciate very much that it is a first step. I appreciate there are many other issues that relate to our water resource and water-taking permits that need to be considered, certainly issues around permit categories. We know that at the present time there are three permit categories. We know there are issues around possible fees for water-taking permits, particularly in those cases when the water that would be taken from a water source would be sold, especially outside of the province.

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There are issues with regard to the self-monitoring of the permits. For example, in my riding, when the permit was issued, there was an expectation that the proponent would monitor water flows themselves. People within the community have some concern about how appropriate it is to rely on the reports the person who is dependent upon the permit would bring to the ministry in terms of the integrity of the water source. There certainly are other issues that relate to water-taking permits that I believe require comprehensive review and consultation. I look forward, at one point in the future, to having the opportunity to address those important issues.

But right now, today, this is a very simple, small step we can take in the right direction that is going to have a significant impact within the community. It will allow municipalities and conservation authorities to begin to catalogue the use of water sources within their area. It's something we need to take as soon as possible. I think it

would not be prudent for us to look to include this in something that would be much more far-reaching and would require, and would deserve, some significant time and consideration. This is very simple. It's to the point. It's necessary. It is needed immediately.

For all these reasons, and because I know that the many constituent agencies that would be impacted by this bill support it, I bring this bill to the House today for your consideration. It is my sincere hope that you will be able to appreciate how very much we need this kind of legislation as soon as possible.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I would first like to thank the member for Hastings-Frontenac-Lennox and Addington for her concern about this very important issue of water. The Ontario government shares her concern about water-takings that will or are likely to affect our water supplies.

While we support the proposed bill in principle, we do not believe it is necessary. It is not needed. The existing legislation currently addresses, and in most cases surpasses, what is being proposed by the honourable member.

I would like to turn to some of the key proposals being made in this private member's bill.

The bill proposes that if a director of the Ministry of the Environment receives an application for a permit to take water, then the director must notify the responsible municipality or conservation authority if that undertaking will affect or is likely to affect the water supply. Please allow me to point out that the Ontario Water Resources Act currently does not allow the granting of a permit that would interfere with existing uses.

While, among other things, the permit to take water program, the PITW program, is designed to prevent interference with existing users in the area, that is not the only consideration. Applications are carefully reviewed not only to prevent interference, but also to ensure that proposed water-takings are sustainable and will have no adverse affect on the environment.

This government has shown international leadership on the issue of water-taking. In 1999 we brought into force the water-taking and transfer regulation. Under this regulation, MOE directors, when reviewing permit applications, must take several issues into account: first, protection of the natural functions of ecosystems; secondly, the effects of ground and surface water-takings on other source uses; thirdly, the interests of others in the permit to take water; and finally, the Great Lakes charter.

Last year the ministry improved its procedures for reviewing permits to take both ground and surface water. Our government was involved in holding a series of focus discussion groups with stakeholders to address low-water issues, and we're all aware of the drought of two and three years ago.

As a result, applications are now subjected to increased scrutiny and will only be approved where the sustainability of the resource can be assured. As an example, during the summer of 1999, the issuance of permits was curtailed in light of anticipated drought.

Conditions were placed on permits to take water, which may include the restriction that takers may not withdraw more than 10% of the stream flow in order to protect the natural stream functions.

For intensely farmed regions in Ontario, the ministry has encouraged farmers to consider off-line pond storage in order to take water into storage at less critical times during the year. We have also imposed conditions that require permit holders to gauge the available stream flow in order to comply with their permit conditions.

MOE's regional operations—I'm thinking of the Hamilton office, for example—to their credit were involved in a number of case-by-case stakeholder consultations and have partnered on local water management solutions that arose as a result of individual permit applications. Most recently, as I mentioned, the partnership of MOE, MNR and OMAFRA, along with the Ontario Federation of Agriculture and the local conservation authority, was formed to address water-taking issues during potential shortage from Big Creek, which flows through the Norfolk sand plain in my riding.

This private member's bill also proposes that where a conservation authority or municipality is to be notified, 30 days' notice is to be provided, and that the director must take into account their observations in deciding whether to issue the permit.

I would advise the honourable members that all water-taking permits of a significant amount are posted on the Environmental Bill of Rights registry, providing for a 30-day comment period. The comments received must be taken into account by the issuing director.

As well, in the spring of this year, the minister sent a letter to the municipality of Centre Hastings assuring them that MOE will notify municipalities of any significant takings in their area. Subsequently, the ministry has sent the same reassurances to over 25 municipalities that had similar concerns.

I have addressed two key proposals included in the private member's bill we are debating today.

Again, I would like to express our appreciation to the member from Hastings-Frontenac-Lennox and Addington for her concern and her efforts in the vital area of protecting Ontario's water resources. I would also like to advise the Legislature that the government does not see the need for this bill.

Mr Dalton McGuinty (Leader of the Opposition): I want to tell you that it's with a great deal of pride that I am speaking in support of this private member's bill. I do so for a number of good reasons.

First of all, I'm very proud of the work my colleague has done on this matter. I had the opportunity to visit a community inside her riding that was very upset and very disturbed by the fact that the government had proceeded to issue a water-taking permit, unbeknownst to the people who benefited from the water in their very own community. I know that served as a very strong motivating factor in the member's decision to move forward on this bill.

I am proud of the fact that she is putting forward a positive idea. I can tell you that she is working very hard to make a positive difference for people. We are determined to oppose this government whenever it is wrong, and believe me, there is no shortage of material to work with on that front, but we also take seriously our responsibility to propose positive policy alternatives, and that's exactly what the member is doing here today.

The other reason I'm so pleased to speak in support of this bill is because this bill speaks to the need to protect and conserve our water. I think that as a result of Walkerton and people's growing feelings for and desire to protect our natural environment, we have a collective responsibility now to move forward in any possible way to help all of us better understand the need to protect our water.

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We have been asking the government to introduce a comprehensive groundwater strategy now for years; to put it another way, simply a plan to protect our water. In 1996, the Provincial Auditor urged the Ministry of the Environment to come up with just such a plan. I can tell you we're still waiting for that plan, still waiting for that strategy years after the auditor sounded the alarm, years after the Environmental Commissioner repeated that alarm and months after the alarming reality of Walkerton.

Finally, I am pleased to speak in favour of this bill because quite simply it's good legislation. As the member put it, it's a good step forward. It's simply going to require that the provincial government give notice to a community that somebody has an interest in taking some of their water. Surely if anybody can lay claim to water, which is a common resource, it has to be the community that benefits from that water on an ongoing basis. It highlights a very important perspective that we should consider on this issue, which is, what do we think of communities? Are they resources to be tapped or obstacles to be overcome?

It seems to me that in the fight to protect and conserve our water, we should not be denying a community knowledge of a prospective water-taking permit; we should be inviting them into the process, seeking their opinion, getting their input, understanding that nobody has more energy and more goodwill and more dedication to the preservation of that natural resource than the very people in whose community the water can be found.

I ask members, who could be opposed to letting a community know that somebody is about to take some of their water? If anybody's got a claim on water, as I said, it has to be the community itself. If Walkerton taught us anything, it's that we can't take our groundwater for granted. But here in Ontario the government is literally letting company after company take our groundwater, no questions asked, this at a time when we don't know how much groundwater we actually have, when we don't know how safe that water really is, when we don't know—and this is the critical point—how the community itself feels about losing that water.

So I ask all members, should we not at the very least—and surely this is a minimalist obligation on the

part of the provincial government—notify the people in the area when water is being removed from their communities? Don't people have a right to know? This is a good step forward. The member could have brought forward much more, and she made reference to some of the things that she might have done. But she knows, as we know, that this government has failed to act on a much broader action plan that we have put forward when it comes to protecting our drinking water, just as we put forward a broad action plan when it comes to addressing the emergency room crisis found in our province today.

Rather than bring forward a sweeping action plan, the member has brought forward a good first step. So I ask again, how could any member fail to support this? How could any one of us go back home to our ridings and tell our constituents, "I don't think you people have a right to know that someone wants to suck water out of your backyard. That information is of no value to you, and you, in terms of your input, are of no value to us"? I can't see any member in this Legislature wanting to go home and deliver that kind of news to their constituents.

This is a good first step toward the comprehensive groundwater strategy that should have been in place in this province some years ago. It's a comprehensive groundwater strategy that may even have helped us avoid the Walkerton tragedy. I urge all members to support this good first step and then, once we take this first step, let's all take a few more and let's start a march forward toward a groundwater strategy, a real plan, a comprehensive plan to protect our water, toward clean water and toward clean air, toward a province that protects our environment and, by so doing, protects the health of all Ontarians.

This, to say it one more time, is a good first step, and if we fail to take it we're standing still, and we are standing still at a time and on an issue which demands that we move forward.

Mr Gilles Bisson (Timmins-James Bay): It's with pleasure that I get an opportunity to speak in favour of this bill. Basically, the purpose of the bill is, as it says here in explanatory notes, "to require the director to notify a municipality or conservation authority of an application for a permit to take water that, if granted, will affect or is likely to affect its water supply."

You have to ask yourself the question why it is that the member comes forward with this bill. I think most of us who've been around here for a while understand what this is all about. It's that over the past number of years we have seen a lessening of the standards when it comes to both law and regulation and also by way of programs when it comes to the programs and regulations that the provincial government utilized to safeguard our drinking water.

Unfortunately, a big part of that has been the focus around Walkerton where we've seen what happens when a provincial government decides that it doesn't have to take its responsibility in the way that governments did in the past when it comes to ensuring the quality of safe drinking water. In the case of Walkerton, what we've

seen was a move first of all by the provincial government to reduce the staffing at the Ministry of the Environment by 1,000, which meant they didn't have the staff necessary to process all of the internal documents and all of the internal monitoring programs that are there not only to safeguard our drinking water but a number of other issues around the environment.

Then again you saw a provincial government—and this is a fact that hasn't been said loud enough or often enough for people to comprehend just how big it is—make a 60% cut in total funding to the Ministry of the Environment between the operating budgets and the capital budgets. It means the provincial government, since 1995, reduced by 60% the amount of money that it spends on the Ministry of the Environment.

A big part of that was the money that used to go to the Ontario Clean Water Agency, OCWA, as we used to call it, which was responsible to help municipalities build, maintain and improve on water filtration plants and sewer treatment systems. If I remember correctly, and I'm just going by memory here—and I might be correct and I might be a little bit off in my numbers—there used to be somewhere around \$200 million that was earmarked from the provincial budget to that particular ministry and through the Ontario Clean Water Agency to help flow dollars to municipalities to upgrade water and sewer systems to make sure that we weren't polluting our environment by way of our sewer systems and, number two, to make sure that we had good, clean drinking water when it came to the water that people took out of their taps. One of the unfortunate things that happened is that this government reduced that funding significantly, as I said at the outset, by a 60% total cut to the Ministry of the Environment budget.

The unfortunate lesson we've learned here is what can happen when a government decides it's not going to take its responsibility vis-à-vis ensuring the public safety when it comes to the environment. I, for one, along with the rest of my NDP colleagues and other members from the other party, have been pointing out since 1995 that the government is wrong and is going completely in the wrong direction when it comes to its whole approach about trying to diminish government and do all of these things by way of those red tape bills that they've passed where they get rid of what they call pesky regulation that gets in the way of economic development.

The other part of the story is that the government, by way of red tape bills and by way of amendment to other acts, has done a number of changes that have weakened environmental standards within the province of Ontario, and we have now quite frankly started on a road backwards from where we were in 1995, certainly by way of actions of this government. What Mrs Dombrowsky is trying to do with Bill 121 is put in place at least one regulation by way of law that would make it mandatory that if there is a permit application to draw water, the affected parties would at least be notified so that they know what is going on.

I had an opportunity not too long ago, I believe about three or four weeks ago in the work that I was doing

around the Adams mine, to meet with Ministry of the Environment officials across the region, not only in northeastern Ontario but also in Toronto. One of the scary things, and this is directly to the point of Bill 121, one of the things I was told by ministry officials, is that the ministry goes in on sites and does testing of water. I'm not talking about drinking water at this point. I'm talking about discharge of water from plants. If you operate a papermill, a mine, a car plant, whatever type of industry, and you discharge water from your plant or mill, the Ministry of the Environment on a regular basis, I believe every quarter, goes in and tests the water being discharged to monitor the water going out into our environment. The reason for that is very simple. We need to safeguard, to make sure we're not putting toxic chemicals and toxic substances into our environment and into the water that eventually comes into our water systems.

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The thing I was told by a couple of Ministry of the Environment officials—and they said, “Gilles, you can quote us on this”—is that now, to even look at the data collected in the quarterly inspections, it's backlogged by as much as eight months. That means that if, for whatever reason, there is a fault within the discharge system in a mill, which may not even be a fault the operator knows about—something broke down and they don't realize they're discharging some sort of toxic chemical into our environment—the Ministry of the Environment will be there at least within three months to do the inspection, but it will take up to another eight months before they look at the results of the inspection. That means it will be over a year after the point of discharge that the Ministry of the Environment even knows there's a problem. These are officials within the Ministry of the Environment.

I would think, when I hear the Minister of the Environment and the Premier stand up and boast about their good environmental record and the leadership job they're doing—in the words of the Premier yesterday, he said, “We are marching forward.” I would say your troops are marching backward, Premier. The reality is that your record when it comes to the environment has been abysmal. Quite frankly, what your government has done is to take Ontario, in its legislation, regulations, programs and policies, and do a 180-degree about-face and march it backwards to before 1995. I would argue that in some of the regulatory changes you've made, you've marched us back into the 1970s.

We forget why it is that governments before us made changes to environmental legislation. It's because of the disasters that happened within the province of Ontario that he swore as legislators we would not let happen again.

I remember, as Mr Bradley would—he was the Minister of the Environment at the time—the Hagersville tire fire.

Interjection: Those were the good old days.

Mr Bisson: Well, they weren't so good, because that didn't last. Anyway, that's another story.

The Minister of the Environment at the time was Mr Bradley. If you remember, the Hagersville tire fire was not only an environmental disaster; it was also a question of public safety. At that time, the official opposition, Bob Rae's New Democrats, and Mike Harris's third-party Conservatives supported your government when it came to making changes to legislation to allow that we don't pile tires on to one big site, the way it was done in Hagersville. We made changes to legislation for reason and for cause. What bothers me about the Conservatives is that they seem to forget that legislation built in this Legislature to protect the environment was done for a reason. It was done because of a disaster. In the case of the Hagersville tire fire, we said as legislators that we are not going to allow that type of concentration of old tires into a dump, not only for public safety but because if there is a fire, the leachates will end up going back into the groundwater, with the impact on the environment. So we put in place regulatory changes to safeguard against that happening again.

Well, the Harris government gets elected in 1995 and says, “Hell, we're smart. We don't have to take into account what happened in the past. We don't have to take a look at what's best for the public. We are concerned with what is”—in their view—“a hindrance to economic development.”

I watched the member Raminder Gill—I forget which riding he's from; if I knew, I would name it—the other day in a debate on the environment say, “If it comes down to who I should trust about making an environmental decision, a person who's the proponent of a project or the government, I would trust the proponent of the project.” I couldn't believe my ears. I know that's their agenda, but I never believed for a second that a Conservative would be stupid enough to admit it in this Legislature. But in fact he did. The cat's out of the bag. I think somebody should talk to Mr Gill and tell him to keep quiet, because he's leaking your caucus discussions and possibly cabinet discussions. What your government's agenda is about, quite frankly, is putting the power, when it comes to environmental regulation, in the hands of the developers and the proponents of projects.

I say that's wrong. It's not that we should be trying to hinder development, it's not that we should be trying to build roadblocks to prevent these people from investing in the province of Ontario, but we need to make sure we have rules and regulations that safeguard our environment and, yes, at times say that if something cannot be sustained environmentally, maybe it's an action that shouldn't be taken.

I want to give you an example that happened in my community. An operator of a gold mine at the time—I believe it was just before Royal Oak, the gold mine at the McIntyre mine in Timmins. At the time a project was proposed, called the ERG project, which was basically going to reclaim the old tailings in the McIntyre mine and the Hollinger mine to take the gold out of tailings

and extract that for a profit, with the promise that at the end of the project they would rehabilitate the entire site to at least its former state, which was a tailings dam, which is not very nice, but to a better state.

At the time, I was not a member of this Legislature or municipal government. I remember at the time some of the people of the community said, "That project shouldn't go forward." I remember some of my own friends said, "Gilles, how can you do that? It's going to prevent the creation of some 50 jobs in our community." I said, "They have not put the financial assurances in place to make sure that if they go bankrupt, we're not left with an environmental disaster that we, the taxpayers of the city of Timmins, will end up picking up to cover the damage they'll create in the environment." At the time, the then provincial government—and I'm not going to start pointing fingers; I'll say it was in the late 1980s and you can figure out who it was from there—allowed the project to go on without the assurances, and so did the city of Timmins. As a result, that operator went into operation, started the gold mine operation which was the extraction of gold out of the tailings, and guess what happened after a couple of years? It went bankrupt.

We are now left, in the middle of the city of Timmins, with a fence around what used to be a park run by the Lions Club, called the Pearl Lake Park. It's now a great big hole of slime in the middle of the city of Timmins, with a fence around it. We drive by it every day as we drive between Schumacher and Timmins. People who don't know the history of that, because they've come to our community since then, say, "What the heck is that all about?" Well, at one time it was a park.

My point is this: At times, yes, government has to step in and say, "OK, you have an economic project you want to put forward." Put together some environmental protection, by way of legislation, to make sure we don't adversely affect the environment. If there is a danger, such as there was with the ERG project, put in place financial assurances to make sure the taxpayers are not left holding the bill when the company goes bankrupt and we're left with a problem. For what was the creation of 50 jobs for two years, the price tag on cleaning that thing up is astronomical. We have examples like that across the province in all of our ridings.

I say to the member in regard to Bill 121, it's certainly not a comprehensive bill in the sense of covering off all the issues we be talking about in the environment. I think she understands that, but Mrs Dombrowsky also understands that there need to be some steps forward to try to safeguard what was in place to protect our environment. At the very least, what we should do by way of Bill 121 is to make sure that if anybody does try to get a permit to draw water from whatever source within the province of Ontario, those affected—the residents, whoever it might be—need to be informed so they can find out what's going on and if there's a problem they're able to raise it.

This is the point I want to end on. This is the part that really bugs the government, why I think this bill, if it

does pass, will never get past the committee level. This government does not like the idea of the public being informed. If you take a look at all the changes they've made in the red tape bills, it's all about taking voice away from the public when it comes to its ability to question projects at the Ontario Municipal Board. Both through changes they've made to the Planning Act and to other acts that affect municipalities and through a number of other changes they've made in red tape bills, they've taken away the ability we have as the public to, first of all, be informed that there is something going on that may adversely affect our community in terms of the environment or for whatever other reason, and second, to intervene through the courts and various bodies such as the Ontario Municipal Board. They've put in place legislation that very much weakens our ability to do so.

I want to say to Mrs Dombrowsky that I, along with other New Democrats, will be voting in favour of this bill. We see this as a good step forward. But we want to remind the government that it has an abysmal record when it comes to environmental protection. I, for one, as an Ontario citizen, am really bitter—I shouldn't say bitter, but upset—when I see the government get up and talk about how it's a world leader on environmental protection. If that's leading, boy, have we gone completely in the wrong direction.

1040

Mr Doug Galt (Northumberland): It's certainly a pleasure for me to have an opportunity to respond to part of the debate on Bill 121, the Ontario Water Resources Amendment Act, put forward by a member from a neighbouring riding, Hastings-Frontenac-Lennox and Addington. I agree with her and compliment her on being concerned about clean water, especially in a province—and a country—that has so much fresh water in the world. It's a privilege to have that quantity of water.

I look at her bill, I read it and the bottom line is it's just not necessary. This kind of thing is being done that she is requesting. It's in place; it's happening. We already heard from the parliamentary assistant, the member for Haldimand-Norfolk-Brant, who mentioned that this proposed bill doesn't go further than our present legislation. I think I heard the Premier say the other day that maybe she should have been putting more into it than she really is. It's something that this government's been responding to, this particular issue. We've been responding in a very proactive way.

I'm a little concerned for the member for Hastings-Frontenac-Lennox and Addington that her leader would come in to give her support. She does a pretty good job. I'm embarrassed for her that the leader would actually come into the House to give her support. Other members would be able to support her, like a past Minister of the Environment who waived things like environmental assessments, thought those weren't necessary. Maybe that's why the leader came in, because of the concern that he had for previous Ministers of the Environment and how they screwed up. Maybe it's understandable why he'd be here.

Also, I'd note, in the spring of this year the minister sent a letter to the municipality of Centre Hastings assuring them that the Ministry of the Environment will notify municipalities of any significant takings in their area. Subsequently, the ministry has sent the same reassurances to over 20 other municipalities with similar concerns.

The bottom line is, what's the impact of this legislation being proposed? Quite frankly, the government has been acting proactively. The measures are already in legislation, and it exceeds what the private member's bill is asking for. The right to know is already out there.

1050

Mr James J. Bradley (St Catharines): Speaking in support of the member's bill, I think it's an exceedingly important step. Obviously, she has chosen a modest step because it's very difficult to get this government to move in an expanded area. Members in the opposition tend, if they wish to have something actually pass, to choose a relatively straightforward and modest step that they hope will elicit support from everybody in the House. Instead of approaching this as a private member's bill, which I think it is, and a concern locally, members of the government have decided to dump on it and simply read what the Office of the Premier has to say about it.

I want to share with members of this Legislature what the Environmental Commissioner has to say about it.

The Environmental Commissioner is, of course, a two-time Progressive Conservative candidate provincially. He was president of the Progressive Conservative Association federally in Nipissing riding, yet here's what he says. This is Gordon Miller, and this is what he has to say. I attended the press conference he had on July 27, 2000. This is his press release and report. This is not a paraphrasing; this is precisely what he had to say about this government's water-taking permit policy and its record. He says:

"Moreover, the quality of groundwater is as important as quantity. Sensitive aquifers and groundwater recharge areas need to be identified and protected.

"Yet the Ministry of the Environment, which clearly has the legislative mandate to protect our groundwater under the Ontario Water Resources Act, seems unwilling or unable to act decisively.

"The ministry continues to approve permits for potentially massive takings of groundwater without adequate technical analysis. At best, this may result in an inappropriate private allocation of a public resource. At worst, it may threaten the sustainability of the water supply of hundreds of people drawing on the same aquifer."

Remember who's saying this. This is the Environmental Commissioner, who was appointed by the majority in this House, that is, the government. He says this:

"In addition, on at least two occasions, the Ministry of the Environment has appeared to deliberately mislead the public by announcing management measures that were not carried out. Such actions are entirely contrary to the ministry's Statement of Environmental Values and to the purposes of the Environmental Bill of Rights."

That's Mr Gordon Miller at his press conference, commenting on his concern about water taking in this province.

By the way, I was up in Walkerton to hear Dr Murray McQuigge's presentation on October 10. I must say, the man did an excellent job of presenting to a public

meeting. There were people there who were from Flesherton, Ontario, who have some grave concerns about potential water-taking in the area of Flesherton as well. That is something that we hope the ministry will look at extremely carefully and deny.

Here is a magazine called *In the Hills*, a magazine of country living in Erin, Caledon, Mono and Mulmer. Nicola Ross, in her story, "Water Woes," says the following:

"Headwaters Country is so named because of its robust supply of water. Four significant rivers—the Grand, Credit, Humber and Nottawasaga—rise up in these hills before branching out in all directions. Streams and rivers, ponds and lakes dot the countryside. The region is doubly blessed by the water-cleansing properties of the Niagara Escarpment, the Oak Ridges moraine, and numerous other moraines. However, the past few years have proven once again that, even in an area where water seems abundant, it can be fickle. Too much or too little rain can spell disaster for farm crops, wells, roads, rivers and aquatic life. Now, in the aftermath of the *E. coli* deaths in nearby Walkerton, the quality of our drinking water has come into question.

"So what is the state of water in our hills, and who is minding the shop?" she asks.

Of course, that's a very valid question for her to ask. She goes on to say, "[B]oth the Credit Valley Conservation Authority ... and the Toronto and Region Conservation Authority ... responsible for the Humber River watershed ... have raised red flags. They're calling for an end to urban sprawl, the development of a sustainable water management strategy, and the adoption of watershed management tools that promote sustainability.

"CVC, TRCA, Grand River Conservation Authority ... and Nottawasaga Valley Conservation Authority have all identified the absence of a coordinated approach to water management in Ontario as the major problem facing the region's water quality and supply.

"If you think someone is looking after the shop, then you are naïve," says Vicki Barron, general manager of CVC.

"While the 38 conservation authorities across the province manage their respective watersheds, it is the Ministry of the Environment which issues water-taking permits to municipalities, golf courses, water bottlers, farmers and the like.

"However, there are no processes in place for determining the total amount of water that is available in a watershed, for assessing the combined impacts of all water-taking permits or for allocating water fairly among competing users.

"But even if these processes were in place, they wouldn't do much good because the actual consumption by the permit holders is not monitored. The ministry does not consult the conservation authorities before it issues permits"—I'll repeat that. "The ministry does not consult the conservation authorities before it issues permits, even though they are responsible for managing the watersheds.

"When the Credit Valley Conservation Authority staff added up all the permits the ministry had handed out, they discovered the total water given away exceeded the Credit River's supply. Fortunately, not all permit holders use their full allocation. Long before the Walkerton tragedy, CVC was actively issuing warnings that the resource was in jeopardy from increased demand, declining supply and inadequate management."

What Ms Dombrowsky has done is brought forward a bill which is one step in the process. If you bring one that's too comprehensive, the fear is the government will find a thousand things wrong with it and not support it. In this particular case, there's an individual member with a real problem in her specific area, one that can be found across the province. She has brought forward, at the request, I'm sure, of people in her area, conservation authorities, the Association of Municipalities of Ontario and others, all this information, has brought forth their concerns and put it in a bill for consideration of the members of this House.

This is truly what private members' hour should be about. This is not some bill that's firing cannons at the government. It is simply a bill which is identifying what has been brought to her attention as a specific problem that exists and she has a simple, straightforward solution for that specific problem. If the government wishes to expand upon that, if the government wishes to bring in other initiatives, that certainly is acceptable, and this House will consider the value of those particular measures when they come before the House. But for members to use the arguments that have been given by the Premier's office for members to read in this House as an excuse for either defeating this bill, or sending it into oblivion if they happen to approve it, I think would be unacceptable and would certainly be a denial of the rights of individual members in this House.

The Acting Speaker: The member for Hastings-Frontenac-Lennox and Addington has two minutes.

Mrs Dombrowsky: I'd like to thank the member from Ottawa Centre and my leader. I was proud that Dalton McGuinty was able to join us this morning. I think it reflects really how important this issue is. I'd also like to thank the member from St Catharines, the member from Timmins-James Bay, the member from Northumberland, the member from Barrie-Simcoe-Bradford, and the member from Haldimand-Norfolk-Brant for participating in the debate this morning.

I want to leave everyone with this comment. It has been presented by members of the government that this bill is unnecessary. You are wrong. It's important for the people of Ontario to understand who has asked for this change: 167 municipalities have written in support of this change; over 900 individuals have signed petitions; 325 people have written letters.

I can't believe it has been suggested by members of the government that this is happening. Only this week, one of the first presenters at the Walkerton inquiry, Dr Kenneth Howard, said with regard to permits to take water in this province, "It's like you're writing cheques

and you don't know how much money is in the account." That's what came out at the Walkerton inquiry. It's important that we remember this.

For the members of the government to suggest that it's happening, don't you understand that's the reason we're talking about it here today? In fact it hasn't been happening. Notification has not been getting to the communities where permits have been granted. This is an opportunity for all of us in this Legislature, in a very simple step, to have a significant impact and provide some real comfort to people in the communities of Ontario.

The Acting Speaker: This completes the time allotted for this ballot item. The question will be put at 12 o'clock noon.

1100

HIGHWAY TRAFFIC AMENDMENT ACT (IGNITION INTERLOCK DEVICE), 2000

LOI DE 2000 MODIFIANT LE CODE DE LA ROUTE (DISPOSITIF DE VERROUILLAGE DU SYSTÈME DE DÉMARRAGE)

Mr Dunlop moved second reading of the following bill:

Bill 120, An Act to amend the Highway Traffic Act to establish an ignition interlock device program / Projet de loi 120, Loi modifiant le Code de la route afin d'établir un programme d'utilisation de dispositifs de verrouillage du système de démarrage.

The Acting Speaker (Mr Michael A. Brown): The member has 10 minutes for his presentation.

Mr Garfield Dunlop (Simcoe North): I appreciate the opportunity to speak this morning on my first private member's bill, Bill 120, the Highway Traffic Amendment (Ignition Interlock Device), 2000.

I could begin by explaining to those present what an alcohol interlock actually is. An interlock is a small, breath-testing unit that is connected to an engine to prevent a vehicle from being driven if the driver's blood alcohol content is above a low, pre-set blood alcohol content, which is usually set at 0.02% or 0.04%. The driver must blow into the instrument to provide the breath sample from which his or her blood alcohol content is determined. If the sample is below the pre-set level, the driver will be able to start the vehicle. If the sample is above, the vehicle will not start.

The level should be set at 0.02% to reinforce the importance of separating drinking and driving. Setting the level at 0.04% may be interpreted as approval for any drinking and driving whatsoever, a message that is not appropriate, particularly for those convicted of at least one drinking and driving offence.

The current devices are quite sophisticated and contain various anti-circumvention features. Interlocks contain data logs that record all attempts to drive the vehicle. They contain the driver's blood alcohol content, and any

efforts to tamper with the device are also recorded. Research indicates that impaired driving offenders with interlocks on their vehicles had a significantly lower recidivism rate than offenders who did not.

Interlocks should not be used as an alternative to existing federal or provincial sanctions, nor to shorten the length of an offender's suspension or disqualification of his or her licence. Rather, they should be a mandatory component of a prescribed remedial program for all impaired driving offenders. The driver should bear the cost of installing and maintaining the interlock, and in Alberta that's set at about \$120 for the installation and \$90 for the monthly charge.

Many times it has been said, not only in this House but in all Parliaments and council chambers across our country, that everyone should feel safe in their homes, their communities and on our streets and highways. Certainly I've said this many times myself as we have debated different pieces of legislation. Our Attorney General, our Solicitor General, our Minister of Correctional Services, our Premier and our Minister of Transportation have repeatedly referred to a safe society. This piece of legislation, this bill, will help us achieve more safety, more security and more credibility on our streets and on our highways.

A constituent of mine, Mr Doug Abernethy, who is president of Orillia Against Drunk Driving, lost his brother Tim in 1981 when Tim was killed by a drunk driver north of Orillia. Doug was also seriously injured in that accident. Since that time, Doug has been an advocate of anti-drinking and driving. Doug first approached me about a year ago and asked how he could go about having alcohol ignition interlock used in the province of Ontario. He had a supplier of interlock demonstrate the technology to me in my office in Orillia.

I felt very confident that there was a use for this technology here in the province. I made a commitment to Mr Abernethy that I would pursue alcohol ignition interlock through a private member's bill. I didn't realize at that point how complex it would be and how much work would be required to get the bill to second reading, and I have a number of people to thank. First of all, besides Mr Doug Abernethy, I want to thank my assistant, Dallas Saunders, for the dedication he has shown in having this bill drafted. Dallas has worked very hard on it, and in fact having more amendments and more drafts of the bill, which we introduced yesterday.

I'd like to also thank Mr Gerry Martiniuk for introducing the resolution last June that allowed me to explain to this assembly my intention to introduce this bill when my private member's time came up. I would like to thank Pat Hoy, Mike Gravelle and Michael Bryant, from the Liberal caucus, and Gilles Bisson, from the NDP caucus, and all the members of the PC caucus, who have supported my efforts on this bill.

And many thanks to all of the interested stakeholder groups that have helped and provided encouragement to see this legislation drafted. We have with us today in the gallery representatives from MADD: Carol Swanson is

the national president of Mothers Against Drunk Driving. We have Brian Mitchel and Janetta Lavery from the Ontario Community Council on Impaired Driving, and we have Ian Marples from Guardian Interlock. I would just ask you people to nod your heads.

As well, I'd like to thank the MTO staff and legislative counsel staff for their hard work on the bill as well. Particularly I would like to thank Minister Turnbull and all of his staff at the ministry who have provided assistance in analyzing the details included in this bill, and also for putting up with the persistence of myself and my friend and assistant, Dallas Saunders.

This bill is not about the policies of a political party or about federal or municipal jurisdiction. This bill is about safety and accountability of the operation of vehicles on the streets and highways in the province of Ontario.

Let's look at our history, and yes, we have come a long way. I can remember in the early 1970s, just after I was a teenager, when it was a big joke, or cool, if someone was pulled over and warned about being drunk. Rarely was anyone actually charged with being impaired. That began to change when lives were lost and people were disabled as a result of impaired driving.

In the 1980s a number of changes were made: one, two and three-year license suspensions for convicted first, second and subsequent offenders; 12-hour roadside suspensions for above 0.05% blood alcohol content or refusal to use the breathalyzer; province-wide RIDE programs; and public education and community awareness programs.

In the early 1990s came graduated licensing, meaning zero blood alcohol content for novice drivers. In 1995 the government doubled dedicated RIDE funding. In 1996 the government introduced 90-day administrative licence suspensions, and the government, again in 1996, introduced community-based road safety marketing, focusing on drinking and driving. In 1997, fines were increased for drivers who drove vehicles while their licence was suspended, and also in 1997 the government increased resources for court and police enforcement. In 1998 the mandatory remedial measure program prior to re-licencing began, and also increased licence suspension periods to three years and lifetime for convicted second and subsequent offenders.

Also in 1998 we had the first thought of interlock happening in Ontario, but not until after a 10-year period, until the year 2008, would it have taken effect. In 1999 came the vehicle impoundment program for drivers caught while suspended for Criminal Code offences, and additional funding for the RIDE program.

It is now the year 2000. Driving while under the influence of alcohol is not accepted whatsoever. Today it is embarrassing and very expensive, and yet MTO statistics will tell you that 42% of the traffic accidents today are alcohol-related. In my own riding, only a month ago, two young people lost their lives on Highway 12 as a result of drunk driving. Every day we hear of impaired driving as a factor in an accident.

As a government and as parliamentarians we must continue to make our roads safer. Alcohol ignition inter-

lock as a mandatory requirement for first-time offenders and for subsequent convictions is a reasonable and responsible way to proceed into the next century. The bill, if passed, will confirm the province of Ontario as the leader in the war against drinking and driving, not only in all of our country, but perhaps throughout the continent. I would appreciate the support of all parties in seeing this bill proceed. The people of our province expect no less from us, their elected representatives.

I really appreciate the opportunity to be here today. I appreciate all the support I've received from the Liberal caucus—we don't always agree on everything—and from the NDP caucus as well. This is a very important step in our battle against a major problem that we have in the province of Ontario and I really do appreciate the fact that the people who have come here today have shown up, and the stakeholders who have made an appearance as well. Thank you very much, and I'll wrap up later.

1110

Mr Rick Bartolucci (Sudbury): I'd like to thank the member for Simcoe North for bringing forth this bill. Certainly this is a good bill and this is a bill that I'll be supporting. There are some alarming statistics that I believe are important for the people of Ontario to know and why the whole House should be supporting this bill.

Every 24 hours more than four people are killed, more than 125 people are injured because of impaired drivers. That's 4.5 people killed, 125 people injured every 24 hours, 52 weeks of the year. That's an alarming figure. Drinking and driving is the largest single criminal cause of death in Canada. Take all your biker wars, take those who rob banks, take those who are hired to assassinate people, and when you put it all together the largest single cause of criminal death in the province of Ontario and in Canada is impaired driving.

The message has got to get out to the people of Ontario, and rules like this, laws like this one and certainly a law that I've introduced—and I may spend a few seconds later on in my presentation talking about it. We have to get the message out that drinking and driving is no accident; it's a choice. The stakeholders involved in this are trying to get the message out to people in Ontario and in Canada. It is an important message.

Any young person out there has to understand that it is not an accident that you drink and drive; it's a choice. It's a choice that you should not make because of the new rules and new laws that are taking place in municipalities, in this province hopefully, and in Canada.

Every four hours someone is killed by a drunk driver—every four hours. Understand that between now and 3 o'clock someone will die because of a drunk driver, which is even more alarming. This debate will take approximately 60 minutes. You should know that every 20 minutes someone is injured because of a drunk driver. Clearly, this is unacceptable and this is why we should be passing the member from Simcoe North's bill into law—which is frightening. Why we have to have these types of laws in place is that 30,000 people are charged with impaired driving every year in Ontario—

30,000 people. So although we may have done some work in this area there is much to do, because 30,000 is far too many people to be charged, and one person every 17½ minutes is charged with impaired driving—one person every 17½ minutes. I reinforce each one of these statistics because I believe they're alarming.

Another alarming statistic that we have, and I think it's the latest statistic that we have, is that the average age of impaired drivers is 34 years. That's why it's important that we speak to a targeted audience, and that's why I commend the stakeholders who are putting these ads on television that clearly put an emphasis on informing the young—our young drivers, our young Ontarians, our young Canadians—that you can and will make the difference by making sure that these statistics fall over the course of the next one, two, five, 10 and 15 years.

The member from Simcoe North noted the past and compared the past with the present. And it's true. As all of us could stand in this place, we can realize where we were wrong in the approach that we used at some point in our life, and we should not be afraid to admit it.

The message is that we look to the future and we look to strong legislation to ensure that the present and the future are much more secure and much safer for those who will be (1) driving, (2) pedestrians, and (3) the general public at large.

Every year, 40% of all traffic collisions involve alcohol. It's an important statistic to reinforce. The member for Simcoe North said that. It's a very important statistic for our young drivers to understand.

You know, at the end of all of this it doesn't only cost us lives but it costs millions and millions of taxpayers' dollars through the court system, through our health care system, through our rehabilitation system. All of those can be avoided.

This is very strong legislation. I commend the member for his strong legislation. I also commend groups, some of which are in the audience.

But I want to talk locally about my group in Sudbury, and the people who are in the audience know my group only too well. It's called Action Sudbury and I'm very, very proud of Action Sudbury. It was founded about 17 years ago by the late regional chair, Peter Wong, along with Rolly Mousseau and Reggie Caverson. Reggie and Rolly are still very much involved in it. It does excellent, excellent work in our community.

Let me tell you about Operation Lookout, because I think it's unique to our community. Others have adopted it but it really is a very, very important one because it's a community initiative, a year-round, public-awareness campaign encouraging people and businesses to report impaired drivers to the police. Want to get them off the road? You can do it through legislation, but you know what? If you see a drunk driver you should be contacting the police and you say, "Get this driver off the road," because he or she is a potential disaster waiting to happen.

Do you know we have in our city, in our region, signs at each of the major intersections saying that we are an

Operation Lookout community and that if you're drinking and driving, if you're impaired, we're not afraid to call the police and say get them off the road?

Of course, we have the Red Ribbon program at Christmas time, which is certainly successful. It is very successful in Sudbury and you see red ribbons on cars and you see them on lapels, and I'm proud. I'm proud of Action Sudbury. I commend Action Sudbury. It's present chair is Ron Roy, who does an excellent job.

I am going to sit down and sum up by simply saying I will be supporting this legislation. This is excellent legislation.

Mr John Hastings (Etobicoke North): I'm very delighted to join in the private members' hour regarding the ignition interlock technology presented in the bill by the member for Simcoe North.

I think the member's initiative reflects a widespread concern and consensus, not only in this House but throughout our society, throughout the province of Ontario. There is a history from the member for Mississauga South and the member for Cambridge, who have been urging us to get on with this particular initiative.

I'd like to commend the member for presenting this particular bill today because what it reflects is not only his concern and this government's concern about road safety, which has been, is and will continue to be a number priority. You can see it in our Blueprint, put out in 1999. You can see it in our efforts since our election in 1995 and, despite the member for Sudbury's concerns about where the drinking and driving index is of people still doing this, we have made some significant progress.

For example, we have been able to reduce by 36%, between 1995 and 1999, the impaired driving people who have been on the roads. That needs to be set into the record to indicate that we have made some progress. I'm not disagreeing with the member for Sudbury that we need to do a lot more. Along with the whole set of initiatives from Reduced Impaired Driving Everywhere, which was initially an Etobicoke initiative back in the 1970s, it reflects very well on the actions taken in a number of communities across southern and northern Ontario where they saw a concern, particularly focused on our young people. It's too bad some of young people didn't stay to see the completion of the debate on this significant issue.

1120

As well, as a government, we've undertaken the administrative driver's licence suspension proposal and made that law. It has, in itself, helped to remove impaired drivers for 90 days from Ontario highways, also recognizing due process of law in that exercise.

In addition to the enforcement side of this whole issue, we have also undertaken significant education and prevention measures. While you may want to throw me out of the House for showing this, Mr Speaker, I think this particular issue of road safety groups across Ontario, through MTO, is one of the ways to get that message out. People wearing this sort of stuff certainly send the message again.

It's also important that we see that these remedial measures, consisting of education, assessment and treatment, are instituted as well. What is significant about that is it's at the cost of the user, the impaired driver, not at the general expense of the taxpayer.

We've also increased the suspension periods for repeat offenders. Unfortunately, we still have a lot of people out there in this mindset that you can drink and drive and there's little consequence. Well, there is a big consequence.

We've also introduced the vehicle impoundment program to stop those who drive while their licence is suspended, under the Criminal Code. For the really bad and aggressive drivers who just can't seem to get the message, whatever their problem is—it doesn't matter what the gender—those convicted of drinking and driving for a third time will lose their driving privileges for life, with no option for a reduction for 10 years.

As I said, we've made some real progress, but I think the member for Simcoe North presents another option that needs to be examined. We need to keep sending this message home: that this government, and I think the opposition parties to a great extent as well, supports a whole set of broad-based initiatives, from RIDE to the administrative driver's licence suspension program to education, assessment and treatment. These things have to be ongoing, and it's not only through the government's efforts but also through local initiative.

So I'm very happy to join in the debate and recognize the member for Simcoe North for his great initiative today.

Mr Michael Bryant (St Paul's): I'm pleased to join the debate. Obviously, Dalton McGuinty and the Ontario Liberals support this bill. In particular, we support any measure that attempts to take a serious look at how we can exercise retribution at the same time as exercising prevention. That's what this bill is about. There is obviously a moment of retribution in having to engage this device every time an offender steps into a vehicle. The rest of society, which is not engaged in that culpable behaviour and has not been convicted, will not have to use this device.

But at the same time, in addition to there being that retribution, which has to be a goal of our criminal justice system, there is also a measure of prevention. I commend the member from Simcoe North for producing a preventive measure from the side of the House he's sending it from. He spoke for a time on how this is consistent with the policies and practices of the government of Ontario. I'm going to have something to say about that in a moment, but I want to reserve most of my comments for the private member's bill.

More often than not the criminal justice system has to carry a fairly blunt tool. It's either jail or no jail. Sometimes it works and sometimes it doesn't. We have the highest prison population in the province of Ontario for any jurisdiction in North America. We have a huge prison population. While we obviously have to continue to seek prison terms for anybody who is convicted of an

offence for drinking and driving causing injury, harm, death—yes, we have to do that—we have to do more than that, because that's not good enough.

We know, as we've been taught by Mothers Against Drunk Driving and others, that for many of these repeat offenders jail time just isn't enough. The disease of alcoholism is not one we're going to be able to discuss in four minutes or less, but it's sufficiently complicated that the deterrents out there don't always work, so there are times when there is a role for the state to play in the motor vehicles of our nation. Here's an opportunity for that to happen.

There are other things the government can be doing. This is private members' business, and I applaud the member for bringing this bill forward. All of us who have brought private members' bills, and I assume that's just about everybody in the Legislature, understand the amount of work that goes into it. This bill in particular was quite complicated. Thank goodness for the folks working in the member's office, for the assistance he received from Mothers Against Drunk Driving and others, and for legislative counsel, who perform their magic day in and day out.

Be that as it may, we have had this topic before this House before and we have had this topic in the public arena for some time. It's not the member for Simcoe North's fault, but it is the government of Ontario's fault that we are now dealing with this as a private member's bill in the year 2000 instead of having it as a government bill years before.

Bill 183 at one time was up for debate. At that time, Mothers Against Drunk Driving appeared before the standing committee on social development, on June 17, 1997. John Bates made the presentation on behalf of MADD. He said that everyone was calling his office asking the question, "Why are we waiting with respect to these interlock devices? Why are we waiting? The interlock is a proven and reliable device. There's no reason to wait to start implementing its use, even on a first offence, when we find a high-blood-alcohol-content driver. The recidivist is most likely to be found in this group." We've had a resolution on which we spoke to this as well.

We support the bill, but in a nutshell the government, as a priority, should have put a priority on this far earlier than today. As the member from Sudbury said, this is the largest single criminal cause of death—drunk driving, not squeegees. The squeegee bill, of course, was the flagship bill of this government in 1999.

I applaud Mothers Against Drunk Driving. This is an organization which, in addition to educating the public, works within our legislative system to get things done, and not just with the governing parties. It has a very good understanding that sometimes opposition parties need to blow wind into the sails of government to get things done.

We've done that together before. Mothers Against Drunk Driving representatives and victims and I called on the Attorney General on April 13 as a matter of policy

always to seek jail time in circumstances of drunk driving causing death or harm. "We need to send a loud message to Ontarians," I said at the time, "that drunk driving is a serious crime and won't be tolerated." Then on April 24, lo and behold, the Attorney General announced that the zero tolerance policy we called for would be implemented.

This was a way to get the result that was the right result and the just result. I am pleased to see representatives of Mothers Against Drunk Driving here in this House. None of us care what side of the gallery they're sitting on. They are to be commended for all the work they do.

This member is to be commended for the work he has done to bring this bill forward. I would just urge all members, in addition to supporting it, to get this passed and get these devices into the vehicles of Ontario because the reality is, if we can end up preventing just one accident, one injury, one death, it's going to be a success, but it's going to be a far greater success than that.

1130

Mr Gerry Martiniuk (Cambridge): It's my privilege and honour to support the initiative shown by the member from Simcoe North.

Yes, we have made progress, and it's interesting in our democracy because I believe this progress has been made by government reflecting the initiatives shown by individuals and organizations. Mothers Against Drunk Driving comes to mind, first and foremost. In my riding, it is a very strong organization, and nationally and in Ontario. It's not an organization; it's a group of thousands of dedicated volunteers, working very hard to ensure that the tragedies that have been suffered in the past are not repeated. I should also mention the Ontario Community Council on Impaired Driving, who also have shown great initiative in bringing it to the forefront and, in effect, forcing governments to act to save lives.

I don't want to talk about statistics because I think we all in this House have supported the initiatives in the past, and we have all been touched by tragedies. I personally was greatly affected by the loss of a young man, a son of a very good friend of mine. When I attended the funeral as a result of his death arising out of a drunk-driving incident, I saw first hand the grieving and the effects of this tragedy.

So, though we have made progress, that is not good enough. We must work with these organizations as a government to eradicate this blemish from our society.

In June 2000, a resolution was passed unanimously by this House that I moved. If I just may read two parts of it, the House wished to "encourage the Ministry of Transportation to examine ignition interlock initiatives in other jurisdictions" and "to continue consultations with stakeholders working to eradicate drunk driving." Lastly, and I think this is the aim of us all, was to "resolve that the province of Ontario must continue to ensure the safety of motorists travelling our highways by continuing to strengthen and enforce drinking and driving laws."

Mr Toby Barrett (Haldimand-Norfolk-Brant): As many of my colleagues may know, I worked for the Addiction Research Foundation for a number of years, and I know the member from Niagara Centre was associated with that organization as well. During my first year of employment there—it was 25 years ago—I attended the sixth international conference on drinking and driving. It was hosted by our executive director, H. David Archibald, and attended by people like Marc Lalonde and Mel Lastman.

Today, I'm pleased to speak on behalf of Bill 120, to establish an ignition interlock device program. Tougher laws, strict enforcement and media ads, and rehabilitation programs have all helped to reduce drinking and driving in our province and across the country over the past 20 years. In fact, since 1995, drinking and driving fatalities have declined by 36.6% in this province.

Despite these positive measures, I feel further change is needed to tighten the Highway Traffic Act and to address this problem. Technology does play a major role in everyone's life, and therefore it's no surprise we're debating this device today.

In 1990, Alberta became the first province to introduce a pilot alcohol ignition interlock program for those convicted of a second or subsequent DWI offence. Over the past 10 years, the use of alcohol ignition interlock devices for those convicted of impaired driving has expanded significantly. Today there are over 30 jurisdictions in the United States—California, for example—that have legislative authority to install ignition interlock devices in vehicles of persons convicted.

Results from an initial study in the west indicate that the ignition interlock has had a positive effect on recidivism. These results not only point to the fact that the program should be continued in Alberta, where that study was done, but they also encourage support from other provinces, such as Ontario. In the state of California, officials are currently performing a study on the effectiveness of the ignition device, and a report is forthcoming to their Legislature in January 2002.

The ignition interlock device is not new. In fact, it was developed in the 1960s. It has been considerably improved. Devices now are highly sophisticated and provide accurate samples as well as resistance to circumvention. Along with sophistication and technology, however, come high prices. My concern with the interlock device is that some offenders may feel they cannot afford what's estimated to be an \$80-a-month fee. We must also avoid the temptation to substitute this device for licence suspensions or any other remedial programs.

I encourage the ministry to examine this program, and I call on all members in the House to support this legislation.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join the debate from my colleague from Simcoe North dealing with Bill 120, An Act to amend the Highway Traffic Act to establish an ignition interlock device program.

I think we've heard from the other speakers in terms of the necessity and the measures that need to be taken, but quite frankly, there were some comments made by the member from St Paul's that were just totally silly. He made a comment about: "The criminal justice system has to carry a fairly blunt tool. It's either jail or no jail." Anyone with any sense and any knowledge of the criminal justice system knows there's a wide range of sentencing options, and that is essentially what this bill is about in terms of an alternative to dealing with an offender. Specifically:

"The bill amends the Highway Traffic Act to provide for the implementation of an ignition interlock program in Ontario for persons who violate laws related to drinking and driving. First, it requires a two-year interlock order for first offenders whose blood-alcohol concentration was in excess of 0.16 per cent at the time of the offence, or who refused to provide breath or blood samples without a reasonable excuse. It also stipulates an indefinite interlock order for second offenders, which can be reduced to five years if the registrar of motor vehicles feels that it is no longer necessary for the safety of the public. The interlock order for third offenders is permanent."

Also, the member from St Paul made a strange comment about the blame approach. Drinking and driving is something that unfortunately has been out there for many years, something that all governments and all of us share that has to be addressed. From what I understand from the member from Simcoe North, this technology was available back in 1985, yet they make the comment about governments making this a priority. Certainly our record with respect to Ontario drinking and driving initiatives, which has been outlined by the member from Etobicoke, is significant. We have road safety plan accomplishments. We have the vehicle impoundment program for drivers caught driving while suspended for Criminal Code offences. We have a mandatory remedial measures program prior to being relicensed, and increased licence suspensions.

To cast aspersions on a bill that is trying to help people—when the Liberals were in government between 1985 and 1990 they did nothing with respect to drinking and driving. And the federal government—these initiatives are being taken by the provincial government—has chosen to do nothing, as usual. I support the member from Simcoe North, and I think the bill is in order.

1140

Mr Peter Kormos (Niagara Centre): First, the New Democrats support this proposition and are eager to see it go to committee. I think it's compulsory that it go to committee. The sponsor may well have some amendments he wants to move in committee. That's entirely possible. As well, though, let me put this to you—and I don't want to get involved in this partisan wrangling that's been going on, lawyers attacking lawyers. That's what happens when you get two lawyers in a room. There was one over here and one over here, and they were criticizing each other.

I'll tell you right now that one of the things I'm eager to ask in committee is, why aren't motor vehicles being manufactured with this kind of device, regardless of whether there's a statute compelling the device to be put into vehicles of convicted drunk drivers? One would think that consumers, the motor vehicle industry and the insurance industry would have a strong interest in having interlock devices in vehicles so you can't drive a motor vehicle when you're drunk. What a simple proposition. What a modest proposal.

I suspect that provincially one of the answers will be that the federal government has responsibility for mandating what's contained in a motor vehicle as it's manufactured. But I as a consumer would like to find out, during the course of committee hearings, what the cost would be to install this sort of device. I'd be more than pleased to enjoy what I anticipate would be a significant insurance discount for buying a motor vehicle that can't be driven by a drunk driver. I would think the insurance industry would have a strong interest in providing that discount because of, in this one crass, mercenary perspective, the incredible cost drunk driving imposes on all of us in monetary terms, in dollars and cents, as payers of insurance premiums and on the insurance industry as the provider—I wish they were—of effective insurance coverage. I'd like to put that question.

I was skeptical about the technology. My Luddite response to high-tech and new-tech prevailed once again. But I understand that in Alberta and Quebec the technology is a proven reality, and Mr Barrett makes reference to some 30 American jurisdictions that I presume use the same or similar technology, not necessarily the same manufacturer.

I think it warrants that discussion. People have been citing statistics and reference was made to the fact that probably not one of us or our families haven't been scathed by the horrible consequences, the great human consequences of drunk drivers. I don't think there's any us. I certainly fall into the same class as some of the other participants in this conversation this morning. We have a strong societal interest in not just reducing drunk driving but eliminating it. A drunk driver is as dangerous and as criminal as a madman with a loaded military rifle.

Comment has been made about the transition or the change in attitude perspective. I don't believe we have accomplished enough in terms of identifying drunk driving as the reprehensible criminal activity it is, and that the drunk driver is as criminal as any other inmate of a reformatory or penitentiary. It isn't somehow more pristine or one of those accidental offences, like going through a stop sign when you're momentarily distracted—please. We've got to overcome what still remains as some element of trivialization of the crime of drunk driving.

I was very pleased, on Tuesday morning, to be invited to join students over at Don Bosco Secondary School, at Islington and Dixon here in Toronto. It was the kickoff by Ontario Students Against Impaired Driving, OSAID. Young Jenni Rowe, now a Guelph university psychology

student, was, some six years ago at the age of 16, crippled by a drunk driver. She lives in Woodstock. She's the spokesperson for Students Against Impaired Driving, and was there. The students at that school were incredibly impressive in their commitment to this campaign of students influencing other students not to drink and drive. The president of the student group based at Don Bosco, Dilaila Longo, was impressive, as were the faculty there, the teaching staff. Edna Bennett is the teacher adviser to this group.

Not only was I terribly impressed at the commitment of these young people to using peer influence to encourage their colleagues not to drink and drive, but I was pleased that in this instance the operation, the campaign, was being supported by Co-operators insurance. They of course used the opportunity to advertise their company's participation, the big banners with "Co-operators." I confess that I'm not a fan of insurance companies, but if you're going to deal with an insurance company, I suppose Co-operators has to be among the better ones, just by nature of the type of company it is and the people involved in its ownership.

Having said all that, though, yesterday morning, I, along with the parliamentary assistant to the Solicitor General, joined the Minister of Transportation downstairs in the media room, where the same organization, Students Against Impaired Driving, held a press conference announcing a very clever CD-ROM they've developed that young people can use to access information about drunk driving. It involves all these interactive, computer-type things young people are so tuned into. I was equally pleased about that, but for the fact that what did I see on the packaging of that CD-ROM but the Labatt's Blue logo of one of the corporate sponsors.

Sorry, friends: we've got a lot of thinking to do about what's going on in the beer and spirits industry, when so much effort is being put forward by so many people across the board—across this province, across this country and internationally—to deal with drunk driving, to respond to what has been identified as the crisis of binge drinking by students on university and college campuses. We've matured enough to understand that tobacco manufacturers have no social interest at heart. Their job is to manufacture tobacco, which kills people, and sell it to as many people as possible and encourage as many people as possible to smoke it, notwithstanding their glib efforts to somehow disguise the real interest of the tobacco industry, which is to make profits. Similarly, we've got to take a look, for instance, at the breweries and who they market their product to. They don't market it to middle-aged, grey-haired, overweight members of the Legislature. They market it to young people.

Take a look at what's going on. Take a look at the incredibly clever, expensive and skilful advertising the beer industry does—incredibly powerful stuff. The quality is exceptional; there's no two ways about it. One can't help but stop clicking and continue watching because of the incredibly skilful production of beer ads, and it's all about convincing young people to drink. I'm not

suggesting that the spirits, wine and beer industries be outlawed. I am suggesting that some serious attention should be paid to whether they should be permitted to advertise, or certainly whether they should be permitted to advertise in the manner they do. They will argue, "Oh, it's all about brand identification." Horsefeathers. Breweries don't make money on people who drink one beer a week. That's not their interest. If beer drinkers across the board drank one bottle of beer a week, the breweries would go out of business. They're interested not in selling beer a bottle at a time, but in selling it a case at a time, and two and three cases and keg after keg at a time.

1150

I call upon this government, if it's serious—and I think it is serious about this initiative—to start talking about curtailing the type of advertising engaged in, particularly by the beer industry, that targets young people and encourages them in a very persuasive way to drink, and drink more and not less, notwithstanding the modest participation by breweries in anti-drunk-driving campaigns and in so-called drinking responsibly campaigns.

I also all upon this government to end any policy of collaborating with the beer or spirits industry in any of the government-sponsored promotions against drunk driving. It is repugnant that the CD-ROM by Ontario Students Against Impaired Driving, sponsored in part by the province of Ontario—and I'm pleased to see my tax dollars invested in that—should also have on it a brewery's logo, again, which is designed to familiarize consumers, beer drinkers, with that particular brewery.

I think we have to start getting tough with the beer and spirits industry which, we have to understand, is motivated far more by profit than it is by any genuine interest in promoting responsible drinking or in advocating against drunk driving. So I put that to you.

I would like this government to adopt a policy that it won't permit the beer and spirits industry to participate with logos or other advertising interests in the efforts that this government engages in directly or indirectly through sponsorship against drunk driving. The first speaker was quite right. He spoke about the importance of separating drinking and driving. You do that not just in word, but in deed as well.

Speaking about young people, I think it's important to understand—I obtained this data over at Don Bosco school on Tuesday morning—that the rate of drunk driving among young people has dropped at a significantly faster pace than it has among their parents. That's an interesting observation in its own right. It indicates, among other things, that peer influence groups like Ontario Students Against Impaired Driving are very effective. I want to praise MADD, along with all the other speakers, because I've had a long relationship with MADD and particularly with John Bates, who served MADD in an exemplary way for so many years, and who had an almost permanent presence here at Queen's Park ensuring that he was lobbying, on behalf of MADD and its sister organization, for better legislation.

I share MADD's disappointment, and the disappointment of a whole lot of people that—it was Bill 138 in 1997—the Comprehensive Road Safety Act did not contain the interlock legislation. I also share this concern. I don't fault the author of this bill, the sponsor of this bill but let's understand that this bill, as a private member's bill, may never get to committee. You see, friends, it's the rule that a private member's bill has to defer to government bills in the committee. And we have seen far too many times private members' bills, week after week slip by the wayside as there's yet another government bill put before the committee. No amount of enthusiasm on the part of opposition members can change that.

With respect, this bill should have been a government bill, and no disrespect to its sponsor or author. I applaud him and his commitment and I understand that commitment. But with the greatest of respect, this should have been a government bill. There are some games being played here that leave me a little bit apprehensive. I'm not sure what the game is yet. We're going to find out. I'm going to do everything I can to get this to committee in a speedy way. Because there are questions and there are issues—I've already related some of them—that I want to see discussed in the context of this bill. I think there are meaningful things that all of us can contribute to the committee process, including that fundamental question of, why can't car manufacturers build cars with these devices in them so you as a consumer can choose to buy one? I think most consumers would recognize the distinct benefits and the enhanced value in making that investment.

New Democrats are supporting this proposition. New Democrats will press for the government to formalize its support of it and ensure that it receives appropriate debate, discussion and passage.

The Acting Speaker: There are far too many private conversations occurring. Would members take private conversations outside. Order.

The member for Simcoe North has two minutes.

Mr Dunlop: I want everyone to know that, with the Speaker's permission, I have an actual interlock here that I can show everyone after. I know Mr Bisson had shown one a little earlier, last June.

I want to thank all those who supported the second reading here this morning: the words from the parliamentary assistant, Mr Martiniuk, who put a personal touch on it, the case of someone he actually knew who had been hurt by an impaired driver; my colleague from Barrie-Simcoe-Bradford, my neighbour Joe Tascona; and Mr Barrett. As well, Mr Bartolucci brought some very interesting points up, talking about Action Sudbury. It's very similar to the organization that Mr Abernethy represents in the city of Orillia, Orillia Against Drunk Driving.

It's funny. I want to share a very quick story. I was in Barrie last year, in a car wash with my car, and a gentleman ahead of me backed into my car in the car wash. I put the brakes on and that stopped the car wash, and this guy drove out through it. I got to the other end.

The attendant came over and I said, "What happened?" He said, "The guy was drunk and he took off." I said, "Why didn't you stop him?" The guy was going out on Bayfield Street in Barrie, and there are six lanes of traffic. There are thousands of people and little kids out here. Anyhow, he got away. That's the kind of case we want people to report. It's unacceptable that the guy backs into you inside a car wash.

He brought some other points up also about the health care system and the importance of keeping impaired drivers off the road as a result of our health care system.

I also thank Mr Kormos for his comments and Mr Bryant as well. I hope we can somehow work this legislation through so that we have something possibly by Christmas. Thank you very much.

The Acting Speaker: This completes the time allotted for this ballot item.

ONTARIO WATER RESOURCES
AMENDMENT ACT
(WATER TAKING PERMIT
NOTIFICATION), 2000

LOI DE 2000 MODIFIANT LA LOI
SUR LES RESSOURCES EN EAU
DE L'ONTARIO
(AVIS RELATIFS AUX PERMIS
DE PRÉLÈVEMENT D'EAU)

The Acting Speaker (Mr Michael A. Brown): We will now revert to ballot item number 41. Mrs Dombrowsky has moved second reading of Bill 121. Is it the pleasure of the House that the motion carry? Carried.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): On a point of order, Mr Speaker: I move unanimous consent for immediate third reading of Bill 121, given the clarity and conciseness of this bill and given the immediate need for notification.

The Acting Speaker: I'm afraid that request is out of order. You may request referral to committee. No, I stand corrected. You may ask for unanimous consent to have it referred for third reading.

Mrs Dombrowsky: I ask unanimous consent that it would be referred for third reading.

The Acting Speaker: Agreed? Consent is not granted.

Mrs Dombrowsky: I move that the bill would be directed to the standing committee on general government.

The Acting Speaker: Mrs Dombrowsky has asked that the bill be referred to the committee on general government.

All in favour of having the bill referred to the standing committee on general government will please stand.

All those opposed will please stand.

A majority is not in favour. The bill will be referred to the committee of the whole House.

HIGHWAY TRAFFIC AMENDMENT ACT
(IGNITION INTERLOCK DEVICE), 2000

LOI DE 2000 MODIFIANT
LE CODE DE LA ROUTE
(DISPOSITIF DE VERROUILLAGE
DU SYSTÈME DE DÉMARRAGE)

The Acting Speaker (Mr Michael A. Brown): We will now deal with ballot item number 42. Mr Dunlop has moved second reading of Bill 120. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 96, the bill will be referred to the committee of the whole House.

All matters before the House this morning being completed, this House stands adjourned until 1:30 of the clock.

The House recessed from 1201 to 1330.

MEMBERS' STATEMENTS

TRUCKING INDUSTRY

Mr Monte Kwinter (York Centre): The independent truckers in Ontario are under severe financial pressure that could result in total disruption of commercial activity in this province. The price of diesel fuel has risen 75% since July 1999. Truckers want a regulated fuel surcharge of 24%. This would provide independent truckers an additional 24 cents per mile to pay fuel costs. Many of the major carriers have exacted fuel surcharges to cover the rising cost of fuel, but a share of those surcharges has not always been passed on to the truckers.

The Minister of Economic Development and Trade has tried to broker a deal that has been called by Bill Wellman, the president of the national trucking association, "ridiculous and meaningless." Wellman said that he and other truckers would end up making less money under the provincial deal than was worked out with the companies that ship freight. Compounding the problem is that major associations in northern Ontario and in Ottawa are not even at the table.

Dwayne Mosley, head of the Greater Ottawa Truckers Association, said that his group will continue protesting until the province enacts legislation forcing shippers to share surcharges for fuel costs. All truckers agree that any deal must have guarantees supported by government regulation as to when and how the surcharges are to be distributed.

Unfortunately, the Premier and the minister are at odds as to the solution. The minister is on record saying that, if forced, he will intervene and regulate the trucking industry. The Premier, on the other hand, maintains that the industry is telling him that what he is negotiating and doing is far better than any provincial-only regulation. Clearly we have a case of the minister not listening and the Premier not understanding.

WELFARE REFORM

Mr Doug Galt (Northumberland): Our government's welfare reforms are helping more and more people get off welfare and find a job. When the Harris government first took office in 1995, Northumberland county's welfare caseload was more than 2,500. But just last month, only 724 cases received welfare assistance. In neighbouring Hastings county, the welfare rolls were almost as high as 8,000 cases. But last month, this figure was as low as 3,700.

The opposition constantly criticizes our work for welfare reform. I've got a success story for the members across the House and one that they should hear. Just a few weeks ago, I attended an open house at the Trenton Resource Centre for the Community Partners for Success. This is an organization that works with many partners to benefit the children, families and residents of Trenton, Frankford and Stirling. Two individuals involved with this organization were not able to attend the open house because they had just found jobs. They found jobs through their workfare placement that turned into full-time employment, a perfect example of how work for welfare is producing.

We've come a long way in Ontario. We've helped thousands of people escape welfare dependency and realize the benefits of having a job, but there's still more to do. I assure the people of Northumberland and Hastings that we, as the government of Ontario, will continue with those welfare reforms.

PRIVATE UNIVERSITIES

Mrs Marie Bountrogianni (Hamilton Mountain): I'm responding to this morning's reannouncement of private universities. The ministerial statement in a little while will be made six months after this was announced in the spring of 2000. It was announced on a Friday afternoon while most students were writing their exams.

The fundamental issue facing universities in this province is not fear of competition, as the government would have us believe. Ontario universities provide an excellent education to our students. It is this government's consistent and ongoing lack of funding which is eroding our universities' excellence.

The Tories claim to support our post-secondary education system but fail to invest the necessary resources to enable them to meet the increased demands upon the system. The government plans to introduce private universities to make up for their lack of a comprehensive plan.

Private universities seeking to establish themselves in the province may be able to do so as early as September 2001. Private universities will be eligible to administer OSAP funds. These are taxpayers' dollars. Private universities, under the NAFTA agreement, will be eligible for research dollars. These are taxpayers' dollars.

Every time the government denies this, they are clouding the facts. Private institutions already have the

highest default rates, at 30%. They are willing to pour already scarce dollars down a black hole rather than invest in our excellent public institutions. They cut \$400 million to post-secondary funding in 1995. Private universities cannot and will not make up for the shortfall of spaces.

SMALL BUSINESS ENTERPRISE CENTRES

Mr John O'Toole (Durham): I'm pleased to rise in the House today to let people in Ontario know about the launch of the small business enterprise centre in the beautiful town of Whitby—which, by the way, is the home of Attorney General Jim Flaherty—on Tuesday this week. This is the 14th enterprise centre to open across the province and a perfect way to mark our Salute to Small Business Month.

As everyone knows, small business is the engine that drives our economy. In fact, the small business community accounts for no less than 80% of all the new job creation. The small business enterprise centre in Whitby will make an important contribution to the economy of Durham region. It also provides entrepreneurs with consultation services, information and advice about small business planning and management to ensure success over the years. I'd like to thank Terry Bainbridge and the organizing committee.

In my constituency of Durham, the centre will also build on the leadership shown over the years by members of the Scugog Chamber of Commerce, for instance, and its president, Les Gower; by members of the Clarington Board of Trade and its president, Adrian Foster; and by people like Sandy Archibald, who have really made a commitment.

This government respects the enormous contribution made by small business to our economy. Since 1995, we have cut taxes, reduced red tape and removed barriers to growth. With the creation of these small business enterprise centres across Ontario, we have now added an additional resource that allows entrepreneurs to build, grow and expand in the growing economy.

On behalf of my constituents of Durham, I want to commend members of the business community for their ingenuity and tireless effort, but I'd also like to thank Minister Palladini for being a constant champion of small business.

COMMUNITY SAFETY

Mrs Sandra Pupatello (Windsor West): Today Minister Runciman crowed at a press conference about building safer communities. He was doing that to release a report on a summit that was held in March, fully seven months ago, to ask for recommendations to build safer communities. So after all the fanfare today, there was nothing to report on action, nothing to show that the government was actually dealing with raves and booze cans, which were the focus of the discussion at the March 14 summit. Instead, today we have a bonanza in Ontario.

We have what bootleggers say is the wild, wild west right here in Ontario, and why is that? Because the word is out that the task force on illegal alcohol under the LCBO is being disbanded and its duties are not being assigned anywhere.

When asked today about this at the press conference, what did the minister have to say? "I don't know anything about that. You'd better ask Duncan Brown; maybe he's got the answer." Over to the Alcohol and Gaming Commission. Are they up and running? Who has the expertise to look after the store? At the moment, no one is minding the store, and all we can say to the people of Ontario is that if you're a bootlegger, it's a bonanza out there.

Instead, we're calling for real action to deal with issues like booze cans and raves. We put a raves bill on the table right here in this House and it passed twice. It still hasn't come forward for action by this government. Shame on Bob Runciman for that performance this morning.

ANN MORTIMER

Mrs Julia Munro (York North): I rise today to talk about a resident of my riding of York North, Ann Mortimer. Ann Mortimer has spent decades fighting for more support of Canadian artists, and now the Newmarket artisan has opened the door for artists to be recognized in a big way by being named to the Order of Canada, Canada's highest honour for lifetime achievement.

As past president and a board member of the Canadian Guild of Potters, the Canadian Crafts Council and the Ontario Crafts Council, Mortimer has been committed to the growth of the craft community and has encouraged international recognition of Canadian artists. Mortimer's own handcrafted ceramics are featured in exhibitions and collections around the world, and she was elected to the International Academy of Ceramics in 1998.

She has just returned from an eight-week stay in China, where she worked in a factory with other artists to create a large sculpture for a sculpture park. She is also currently on the advisory board for the International Museum of Ceramic Art in Alfred, New York.

In countries such as China and Japan, ceramic art is revered. Mortimer hopes to build more momentum for the craft in Canada. Locally she has juried for the Newmarket Artisans Festival and lectured all over the region of York.

My congratulations to Ann Mortimer for receiving this great honour.

MINISTERIAL CONDUCT

Mr Gerry Phillips (Scarborough-Agincourt): On Tuesday this week, we experienced in the Legislature one of the most extraordinary examples of ministerial incompetence that we've seen in some time.

The Minister of Health appeared at the estimates committee with numbers that were grossly inaccurate and wrong. It's important for the public to recognize that it is at estimates that the minister is supposed to come and explain his or her priorities and numbers, and the minister was incompetent. The numbers were wrong by \$2.5 billion. The minister was asked about it. Remember, she has been preparing for weeks for this meeting. She showed up and was forced to adjourn the session immediately. Her very first comments were, "I think our preference would be to adjourn, get the appropriate numbers. I guess we could resume next Tuesday." The minister had to adjourn for an entire week because of this gross incompetence.

No wonder the public have concerns about the health care system when the minister doesn't understand the numbers and is out by \$2.5 billion. It points to a bigger problem, and that is, in my opinion, the government is now cooking the books. The bureaucracy has so many separate numbers they no longer are able to report on the accurate numbers. So we will find over the next few weeks that the variety of numbers we've had on education and health care now have so confused the ministry they don't know what the right numbers are any longer.

1340

SCHOOL CLOSURES

The Speaker (Hon Gary Carr): The member for Hamilton West.

Mr David Christopherson (Hamilton West): Thank you very—

Interjections.

The Speaker: The member for Stoney Creek, come to order, please.

Mr Christopherson: Thank you very much, Mr Speaker. I wish the government benches were as animated about the potential closure of schools in our inner cities as they are in the small politics crossing the floor here.

I rise today to bring to the attention of the government members that all across Ontario, parents, student councils, teachers and communities at large are fighting among themselves over your school funding formula that is forcing the closure of far too many inner schools. Last evening, in the gymnasium at Allenby public school, there were presentations made on behalf of the community to trustees imploring them to keep Allenby open. It's just one example of a lot of inner-city schools that need to stay open. If I had the time, I'd go into the figures surrounding the lack of funding that is causing these closures.

Historically, we have had public school closures. What we have not had in the past is closures because of underfunding. We've had closures because of demographics alone. This is the first government that has forced school trustees to close these valuable community assets. It's not just bricks and mortar; in many cases in these inner communities, it's the focal point, it's the heart

of the community. Without it there is no open space, no recreation space. This is far too important to be left to the whims of your bottom-line endeavours.

NIAGARA REGION

Mr Bart Maves (Niagara Falls): While I'd like to talk about the Liberal member from Scarborough's statement about the Minister of Health, which was totally erroneous, I won't.

The Mike Harris government has always shown a keen interest in and commitment to the Niagara region. Just this week it was announced that Roberts Street in Niagara Falls will be given a \$14-million makeover, transforming the roadway into a beautiful gateway into the city. Our government is allocating \$9 million for the project.

We've previously paid for the widening and improvement of the Queen Elizabeth Way from Fort Erie to St Catharines, and we've committed over \$500,000 to a study of the transportation needs facing the Niagara Peninsula, as well as other million-dollar projects like Thorold Stone Road overpass.

So it was with great interest that I read comments this week by Liberal leader Dalton McGuinty following his visit to my riding. An article in the St Catharines Standard read, "McGuinty said the mid-peninsula corridor is a key project to protect Niagara's ... markets." Yet it appears Mr. McGuinty held a different view of the proposed highway in July, when he stated, "Well, you know, we would insist on a full environmental assessment, and we'd want to look at the alternatives." Do the Liberals want the project to proceed? Do they want more studies? Just what do they want?

I'm proud to say our government is taking action on behalf of the Niagara region. Important roads are being upgraded and detailed studies are underway which will assist in determining how best to address the future needs of the region.

INTRODUCTION OF BILLS

MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES STATUTE LAW AMENDMENT ACT, 2000 LOI DE 2000 MODIFIANT DES LOIS EN CE QUI A TRAIT AU MINISTÈRE DE LA FORMATION ET DES COLLÈGES ET UNIVERSITÉS

Mrs Cunningham moved first reading of the following bill:

Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act, 2000, repeal the Degree Granting Act and change the title of and make amendments to the Ministry of Colleges and Universities Act/ Projet de loi 132, Loi édictant la Loi de 2000

favorisant le choix et l'excellence au niveau post-secondaire, abrogeant la Loi sur l'attribution de grades universitaires et modifiant le titre et le texte de la Loi sur le ministère des Collèges et Universités.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1345 to 1350.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Gilchrist, Steve	Mushinski, Marilyn
Baird, John R.	Gill, Raminder	O'Toole, John
Barrett, Toby	Guzzo, Garry J.	Palladini, Al
Chudleigh, Ted	Hardeman, Ernie	Runciman, Robert W.
Clark, Brad	Hastings, John	Sampson, Rob
Coburn, Brian	Hudak, Tim	Spina, Joseph
Cunningham, Dianne	Johns, Helen	Sterling, Norman W.
DeFaria, Carl	Johnson, Bert	Stockwell, Chris
Dunlop, Garfield	Klees, Frank	Tascona, Joseph N.
Ecker, Janet	Marland, Margaret	Turnbull, David
Elliott, Brenda	Maves, Bart	Wilson, Jim
Eves, Ernie L.	Mazzilli, Frank	Witmer, Elizabeth
Flaherty, Jim	Molinari, Tina R.	Wood, Bob
Galt, Doug	Munro, Julia	Young, David

The Speaker: All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Bartolucci, Rick	Cordiano, Joseph	Lankin, Frances
Bisson, Gilles	Crozier, Bruce	Marchese, Rosario
Bountrogianni, Marie	Curling, Alvin	Martel, Shelley
Boyer, Claudette	Di Cocco, Caroline	McLeod, Lyn
Bradley, James J.	Dombrowsky, Leona	McMeekin, Ted
Brown, Michael A.	Duncan, Dwight	Peters, Steve
Caplan, David	Kennedy, Gerard	Phillips, Gerry
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Kwinter, Monte	Smitherman, George
Cleary, John C.	Lalonde, Jean-Marc	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 42; the nays are 29.

The Speaker: I declare the motion carried.

The member for a short statement?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): I'll make a proper statement in ministers' statements.

STATEMENTS BY THE MINISTRY AND RESPONSES

POST-SECONDARY EDUCATION

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): For some time now,

students, parents and employers have asked the Ontario government to allow greater flexibility in the educational opportunities available to students so that they can acquire the marketable skills they need to prosper in today's world.

They have been asking for more flexibility in the way they can learn; they want new combinations of skills and expertise; and they want greater collaboration between our post-secondary institutions. And they are right. We need to increase the range of choices available to Ontario students to earn a degree. Students need more opportunities, not fewer, and we must ensure that the post-secondary system provides them with the full range of choices that they require to succeed.

In April, I announced the government's intention of giving Ontario students an exciting new range of opportunities to earn a top-quality post-secondary education. Today, I'm introducing legislation which, if passed, would allow us to meet that goal. The Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000, would make amendments to the Ministry of Colleges and Universities Act and would replace the Degree Granting Act with the new Post-secondary Education Choice and Excellence Act, 2000.

The new act would make it possible for Ontario's colleges of applied arts and technology to grant applied degrees and would pave the way for more private post-secondary institutions to establish themselves in Ontario.

Over 35 years ago, the province proposed controversial changes to post-secondary education with the creation of community colleges. We know today's announcement is also necessary to make the system more responsive to the needs of today's students no matter where they live. It's part of our plan to address lifelong learning.

By increasing the range of options available to students in Ontario, we would be promoting excellence in our degree-granting institutions and making Ontario's education system the envy of the world by ensuring that our institutions are responding directly to the changing needs of our students, as well as to the requirements of those who need to upgrade their education.

To ensure the quality of new post-secondary programs, the act would enshrine in law the Post-secondary Education Quality Assessment Board. This independent body would assess new degree program proposals submitted by Ontario colleges, out-of-province degree-granting institutions and new degree-granting institutions in Ontario, including privately funded institutions.

Using rigorous criteria established in accordance with recognized educational standards, the board would then make recommendations to the Minister of Training, Colleges and Universities about whether proposals should be approved based on the quality of the program and the institution's ability to provide it.

Proposed amendments to the Ministry of Colleges and Universities Act would include permitting the Minister of Training, Colleges and Universities to appoint inspectors to ensure that institutions are administering the Ontario

student assistance program properly. This change would help us ensure both the viability of private institutions and the protection of both the taxpayers and the consumers.

We are also proposing to create new provincial offences to prevent OSAP abuse. The act proposes that an individual convicted of any one of the offences could be subject to a fine of not more than \$25,000 and/or a term of imprisonment of not more than one year. The act proposes that a corporation convicted of an offence could be subject to a fine of not more than \$100,000. We believe that these measures, if passed by the Legislature, would send a strong message that the Ontario government will not tolerate misuse of taxpayers' dollars.

My ministry has consulted extensively with stakeholders on these issues, and the legislation I am introducing today reflects much of what was heard in those consultations.

This legislation is intended to give Ontario students more choices while protecting and strengthening the quality of our education system. If passed, it will create opportunities for students to pursue new fields of study, to attend programs that may not currently be offered in their home communities and to pursue part-time or distance education that may not at present be available to them.

I believe this legislation will be a key part of our plan to ensure the continued success of Ontario's students.

1400

Mr Dalton McGuinty (Leader of the Opposition): I guess in the final analysis, the minister's statement today is not surprising and all too predictable. There's no secret that the Harris approach to our public institutions, whether you're talking about primary and secondary education, the health care system or now our public universities, is that first you starve them until they are broken and you undermine public confidence. Next you claim that the problems are too big for government alone to fix. Finally, you bring in your big business friends to profit from the mess. That's what this is all about.

As John Snobelen himself once said, first you've got to create the crisis. Let there be no doubt that because of Harris's cuts to our university sector, they find themselves today in a state of crisis. After \$400 million in cuts to our colleges and universities, Ontario—and this is shameful—now ranks 59th out of 60 in North America when it comes to public investment in post-secondary education. At 19 to 1, Ontario universities now have the highest faculty-to-staff ratio in Canada. In fact, when it comes to investment in our young people on a per capita basis, no group of adults, no single province, invests less in its young people than we do in this province, and that is exceeding shameful. At the same time, I can also tell you that because of this government's insistence that tuition fees be bumped by 60%, no families in our country are paying more than Ontario families when it comes to fulfilling the dreams of their children.

This government's deregulation of professional programs has resulted in a two- to threefold increase in the

cost of becoming a doctor, a lawyer or an engineer. Average student debt is now over \$25,000. Let me tell you what this means in real terms. When the cost of medical school tuition at Western recently went from \$4,000 to \$10,000 a year, it changed the type of student who went there in a very pernicious way. The mean family income of our medical students has gone from \$90,000 to over \$120,000.

I think it is entirely wrong, if not immoral, for we who have arrived and found success here in Ontario to shut the door to generations behind us. We played by some very good and fair rules that were handed down to us on a silver platter by our parents and our grandparents. Those rules simply said, "If you grow up in Ontario, if you work hard and you get good marks, you get to go on to university." What this government is all about—they are changing the rules. They are changing the rules that you and I benefited by. They are changing the rules by which everyone on the government side benefited. The new rules are, "If you work hard and you get good marks and your parents are rich, you get to go on to university." That's what's happening in Ontario today.

The minister likes to say—and this is a very seductive argument; it's made by Republicans south of the border all the time—"I'm simply increasing choice available to Ontario students and to Ontario families." If the minister was bent on helping our students have greater choices, she would focus on making the ability for them to choose a university education a real thing.

What I expected from this minister today, given the record and given the state of crisis in which our universities find themselves, was that she would have announced that she was reducing tuitions. She might have announced that she was going to increase student assistance. She might have announced that she was going to better fund our public universities. Those are the kinds of things that I expected this minister would announce, given the state of the province and our public universities. Our universities today are struggling when they should be flourishing. They are languishing when they should be excelling. We are supposed to be working here together, in a highly competitive, knowledge-based economy, to do the very best for our universities and our young people. This minister is taking us in the opposite direction. Private universities will do nothing for our struggling middle class, they will do nothing for our poor, but they will give much more choice to our rich, and we are against that.

Mr Rosario Marchese (Trinity-Spadina): I want to tell the minister and this government that they're very good. How else would you explain the title of this bill, which is called An Act to enact the Post-secondary Education Choice and Excellence Act, so reminiscent of a few other bills, for example, the Tenant Protection Act, which whacked tenants from one end of the room to the other? How else would you explain the sinister connection to another bill called an act to protect social housing, another beautifully named bill that dumps housing down to the municipality? And who gets stiffed with the property tax bill? The homeowner and the tenant.

You guys are good, I keep on telling you, but eventually people will catch up to it, and they have, in my humble view, as I have as I read the titles. The only benefits conferred on these people are the titles, and nothing else. There are no other benefits, except the title of the bill.

A couple of months ago the minister had consultations on this very bill she introduced today. I announced at the time that it was consultation by stealth, government by stealth, because she brought a few people together, a couple of her friends, and said, "Look, private universities are not up for debate. Private universities are what we're all about. If you've got some other ideas, we can talk about it." But essentially, the framework was set by this minister. So we asked her, "Who are you consulting with? Why are you consulting in private? Give us the names. Open the doors. Why are you consulting by stealth and in stealth?" She didn't have an answer. Why? Because that's the way this government operates: behind closed doors, with people obviously she can trust, and with nobody else in the room.

You guys are good. Eventually the public will catch up, but in the meantime, you're doing it well. I remember your Blueprint for Learning in 1992. Do you remember that? It was called New Directions. You said that our post-secondary education system was outdated and underfunded. You then proceeded, Minister, and M. Harris, to cut post-secondary education by \$500 million, and you proceeded to cut, in a cumulative way, \$1.4 billion in capital costs, in operating funds, essentially. Yet in your 1992 Blueprint you said it was underfunded. Presumably you meant you were going to put money into the system, not take more out.

Machiavelli would have been proud of you, Minister, and proud of this government, because you, Minister, serve the prince well. That's why I say to you that you've got good teachers: Machiavelli was a good one and Bismarck was another good teacher for you as well.

What do you do? You do what Bismarck did: you create a crisis. You create a crisis as a way of introducing your agenda. In this particular case, you have underfunded the system in a way that threatens our institutions and in a way that you can begin to suggest privatization is the answer, as you did, by the way, when you brought a couple of people together here a couple of weeks ago to support charter schools.

I am convinced that you sat down with those people—the other Minister of Education—and the minister said to those people, "I can't be seen to be supporting charter schools, but you folks go to Queen's Park and rumble and demand charter schools and demand money so that you can have your private schools. I can't be seen to be supporting it just yet, but you keep on screaming because in a short little while we're going to support you." You're doing the same thing with private universities. You starve them, you underfund them and then you say, "They need choice, thus we need private universities."

They're good. In March we warned the public that some of the worst for-profit American franchises were

lobbying your government to open up Ontario for business. The University of Phoenix, for example, had to pay the US education department a \$6-million fine for fraud. That's the kind of stuff we are getting in this place.

You dissemble by saying that private universities are not getting public funding, but students who go to these schools will get OSAP student loans. These loans come from public funds and will subsidize private universities. The private sector is drooling for this. They're drooling because they know the money is coming, so they can make money out of education. Is this what we want? Nobody is asking for this. Nobody is asking for this except this minister and her private friends who want to make money out of education by privatizing our education system. Shame on you, Minister, and the government.

1410

VISITOR

The Speaker (Hon Gary Carr): Just before we begin question period, in the members' gallery east is Mr Bill Saunderson, the former member for Eglinton and a member of the 36th Parliament. Would all the members join in welcoming our former member.

ORAL QUESTIONS

POST-SECONDARY EDUCATION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Training, Colleges and Universities. Today you introduced a breathtaking change in the way we provide post-secondary education to our young people in our province. You did this proclaiming that this somehow will be of benefit to our struggling middle class and our poor. Our universities today are struggling at a time when they should be flourishing. They should be centres of excellence. Our young people today are faced with the highest costs in the country and the lowest levels of investment on the part of their province in the country.

Can you tell us, Minister, quite simply, why you have given up on our public universities and why you've given up on Ontario's youth.

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): I was extremely disappointed with the leader of the official opposition and the information he gave out to young people today. He should know that under our government we have the highest participation rate in our post-secondary institutions in Ontario's history. Under the NDP 25.5% were enrolled, under the Liberals we had 23.3% enrolled and under our government it's 35% of young people between the ages of 18 and 24, and rising. The legislation we introduced today is to make that even better, to give more students choices and to allow them through lifelong

learning to enter our colleges and universities and have the most excellent system in the world, not just in Ontario or Canada.

Mr McGuinty: Here are the facts on universities in Ontario. Our students are averaging debt levels of \$25,000. They are paying more for their post-secondary studies than any students in other parts of this country, and we are investing less in our young people than in any other province in this country.

You tell us you want to lead. Well, it's pretty tough to lead from the back of the pack. Minister, I'm appealing to you as a parent, don't you feel some sense of responsibility to maintain that wonderful system that has been handed down to us on a silver platter by our ancestors, who worked so hard to ensure that all of our children would have accessibility to universities, regardless of how much family wealth they might happen to have? Isn't that what we're supposed to be all about, making sure our children have continuing access to universities, not on the basis of how much money they've got but solely on the basis of how hard they work?

Hon Mrs Cunningham: We should know that in this province we are able to attract the best and the brightest. Last week at the invitation of Dr Birgeneau at the University of Toronto, who chose to come here from an American system to make his province and his country even better—he was extremely flattering toward the quality of our post-secondary institutions right here in Ontario and in Canada.

This member tells us that students cannot go to our universities. We've never had a higher participation rate. I will say to this member that the hopes of this generation are very much greater than when I went to school, when 5% of young people went on to post-secondary. I am tired of this number. Twenty-five thousand dollars is the average across the country. He knows it and his friends the Canadian Federation of Students know it. I will tell you that we want to do better in Ontario. Our average debt is \$13,000—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

Mr McGuinty: This minister can accuse me of being friends with students any day of the year. I plead guilty on that count. I am a friend of students. I am a friend of Ontario's youth, and I will do everything I possibly can to ensure they've got access to public universities.

I can tell you, on the basis of international experience, that if you show me a private university, I will show you public dollars. These private universities are going to come at the expense of public funding for our public universities, notwithstanding your commitment to the contrary.

You tell me, for example, that any student who makes application to attend a private university in Ontario will not be receiving public assistance. Our students in public universities are already malnourished when it comes to assistance funding. Tell me that we will not be using Ontario tax dollars to subsidize students who are attending private universities. Tell me that now.

Hon Mrs Cunningham: I would be happy. I thought I just heard the member say he was the friend of students. Every student has a right to a choice, and if they qualify for OSAP when they go on to private universities in this province, they will get it.

We have never supported our young people who need assistance to go on to post-secondary education as much as we have in the past year. We will spend an estimated \$698 million this year, the most in Ontario's history. Some of the ways we are helping our young people are increasing the funding for OSAP and increasing the number of Ontario graduate scholarships. Students can earn from bursaries and part-time work. We're working with our colleges and universities so they can have jobs that we support. The list goes on. This member should get himself educated.

DRINKING AND DRIVING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Correctional Services. I believe that drinking and driving is a very serious crime and, in keeping with the law, I believe second-time offenders should be doing time. Do the crime, do the time. The crime has to be stamped out. Education can help our children act responsibly, RIDE programs can get drunk drivers off the road and treatment programs can help our alcoholics.

I think we should punish repeat drinking and driving offences with time in jail. Do you agree, Minister?

Hon Rob Sampson (Minister of Correctional Services): I thank the honourable Leader of the Opposition for the question, but he's a johnny-come-lately to having tough sentences for people convicted of drunk driving. Indeed, he and his party did not support the bill of the honourable member from Mississauga South when it was presented. So this is a new vision of his.

If you're asking whether people should serve their sentences, yes, indeed, they should be serving their sentences. If you're asking—

Interjection.

The Speaker (Hon Gary Carr): Order. Minister, take your seat.

I didn't hear that, but we're all honourable members. If the member said something, she can withdraw it. I'll give her a chance. If she said something, she wants to—

Mrs Sandra Pupatello (Windsor West): I withdraw.

The Speaker: Start the clock, please.

Hon Mr Sampson: If you're asking whether people should be serving their sentences, yes, indeed, they should be serving their sentences, whether that be a combination of community sentencing and institutional sentencing.

We have said many times—I have said many times—there are things that need to be changed in Ontario corrections, and I'm trying to do that. Perhaps, when you're asking your supplementary, you might confirm whether you believe the statement of your member from Brant, who says that Ontario corrections is a model for other jurisdictions to follow.

1420

Mr McGuinty: You are failing us, and I'll tell you why. Judges are sending people to jail in Ontario to serve intermittent sentences to be served on weekends. It turns out that every Friday at the Mimico Correctional Centre right here in Toronto, over 100 criminals arrive, sign a temporary absence plan and get out of jail instantly.

You are complaining about the federal government's laxity when it comes to inmates serving easy time in jails. I'm talking about your system, on your watch, where you are taking people who have been sentenced to do time in jail and allowing them to serve time at home. Under the Mike Harris get-tough, law-and-order regime, we're talking about people who have weekend sentences being sent home. How do you justify that, Minister?

Hon Mr Sampson: I'm quite prepared to talk about corrections under our watch. I'm also quite prepared to compare that to corrections under your watch. That would be an appropriate comparison, would it not? If we did that, we would find that under their watch, the Liberals issued 25,000 temporary passes out of jail—25,000. When we were elected, we said temporary passes should be used only where people are serving their sentences in the community and, where there should be exceptions, to attend funerals and the like, so we've taken that number down to 4,000. I'm quite prepared to stand in my place and say that under the Mike Harris government we are getting tough in corrections. You believe inmates should be prancing around in evening gowns and having pool tables and pools built. You believe that's corrections in Ontario; we don't.

Mr McGuinty: Once again we've proven that when it comes to crime this government is all talk and no action. You are so tough on talk. You know, you've got me shaking in my boots. They tell us they're going to be really hard on criminals; they're going to crack down. Here we've got a specific instance: in Ontario today, if you are sentenced to an intermittent sentence and you are required to do time on weekends, all you've got to do is show up and sign yourself out. You get to go home for the weekend, you get to cut the grass, do a bit of shopping and God knows what else, and this is the new, tough, law-and-order regime of the Mike Harris government. I guess the criminals are just heading for other provinces, Minister.

Can you tell us once again, because we didn't get it in the last answer, how can you justify allowing criminals who have been sentenced for drinking and driving, in some cases drug trafficking and in some cases assault—how do you justify sending them away from jail and allowing them to spend the weekend at home?

Hon Mr Sampson: The only party around here that's all talk and no action is yours and your federal colleagues'. The Attorney General went to a ministers' conference about a month ago, and I was there a year ago. We demanded that the federal Liberals get rid of intermittent sentencing. What did they do? Nothing. What are they prepared to do in the upcoming election? Nothing. But to the point that the member is raising, I want to tell him—

Interjections.

Hon Mr Sampson: —if they're prepared to listen.

Interjections.

Hon Mr Sampson: Would you like the answer, or do you just want to heckle and not have the answer?

The Speaker: Minister, take a seat. Order. The minister has the floor.

Hon Mr Sampson: The Liberals don't believe that inmates should be paying back society. That indeed is what these individuals did when they reported to Mimico Correctional Centre. They went to help out EGRESS, which is a voluntary group in Etobicoke; they went to help out St Bernards Convalescent Hospital; they attended drug rehabilitation programs in the community, including anger management courses. You don't like that?

The Speaker: The minister's time is up. New question?

AFFORDABLE HOUSING

Ms Marilyn Churley (Toronto-Danforth): To the Acting Premier: tomorrow, the Premier and his—

Interjections.

The Speaker (Hon Gary Carr): The member for Toronto-Danforth has the floor. Order.

Ms Churley: To the Acting Premier: tomorrow, Acting Premier, the Premier and his buddies Jean Chrétien and Mel Lastman will be announcing their big waterfront plan. We're told that they plan to put up \$1.5 billion. The question is whether there will be any money for affordable housing.

The people of Ontario and Toronto don't want a waterfront just for the wealthy and they don't want vague promises that will be overturned if the Olympics get into financial trouble. Minister, will you commit today that you will provide funding for at least 1,000 units of rent-geared-to-income housing on the Toronto waterfront?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): Obviously I don't have any knowledge of what's going to be in the statement tomorrow. Jean Chrétien is not my best friend.

The report on the waterfront that Mr Robert Fung has done I believe includes affordable housing in its submission. Let me just state very clearly and unequivocally that this government is in favour of Mr Fung's plan. I think it's a dynamic new plan for growth on the Toronto waterfront that will stand not only the city of Toronto but the province of Ontario and the country of Canada in good stead for many, many decades to come. If she's against it, I guess she should stand up and say so.

Ms Churley: I apologize to the member. I got him mixed up with Paul Martin. I confused you for a moment.

Minister, we've got a really serious housing crisis in Toronto, and your government and Jean Chrétien's Liberals are like two peas in a pod. We saw in yesterday's budget where their priorities lie when we know that we have a housing crisis. They did the same things that you did: massive tax cuts but not one cent for affordable housing, not one cent.

Minister, you can show some leadership here and break this mould. One way of ensuring affordable housing on the waterfront is to pass my leader Howard Hampton's private member's bill, the Toronto Waterfront Fair Housing Act. It would require that any money raised through selling off of public lands be put into affordable housing.

Will you commit today to pass the NDP housing bill so that we'll be assured of having affordable housing on the waterfront, no matter what else happens?

Hon Mr Eves: No. Obviously I can't commit for all the other members of the Legislature to pass a private member's bill sponsored by her leader. However, I can reassure her that Mr Fung does indeed call for affordable housing in his waterfront redevelopment plan. We are fully supportive of that, the federal government is and the city of Toronto is. I don't know why you can't take yes for an answer.

The Speaker: Final supplementary.

Mr Rosario Marchese (Trinity-Spadina): I'll tell you why, Minister, because clearly I don't think you understand it.

Interjections.

Mr Marchese: Give me a second, please. You're so loud today. Quieten down.

Minister, I want to tell you why. You say it's in Mr Fung's plan, and you support that. Happy to hear it. The Canada Mortgage and Housing Corp says we will have needed 81,000 units by 2001. We will have only built 6,000. Previous governments helped to construct housing. The Liberals are out of the housing field and they devolved to you. You devolved to the municipality and put it on the shoulders of the property tax person. You haven't built any housing. The private sector is not building any housing. You, nonchalantly with your smile over there, say, "I don't know what part you don't understand about my answer." I'm telling you what I don't understand. You haven't built any housing and neither have your private friends. That's why.

I'm looking for your commitment, right? I'd want you to tell me. In addition to what Mr Fung said, I'd like to know what you plan to do, yourself.

1430

Hon Mr Eves: There is obviously a very serious difference of opinion here as to how housing gets built and how you help people in the province of Ontario. Your government helped people by raising taxes some 37 times and putting 10,000 people out of work in the province. Our government has helped people by lowering taxes 166 times, and as a result, almost 800,000 people today have jobs who didn't have jobs thanks to you under your great regime.

The Speaker: New question.

POST-SECONDARY EDUCATION

Mr Rosario Marchese (Trinity-Spadina): He kills me. He does kill me. I was about to say, "He's good," but he wasn't very good today.

Speaker, not to him anymore; I'm tired of him. Minister of universities, you're planning to divert public housing dollars from our university system so that your corporate buddies can make a profit by bringing in, in my view, second-rate American private universities. Nobody wants this scheme. I say to you, as Mel, who is your buddy, would say to you, "Nobody wants this scheme," except the big-box US universities and their well-paid lobbyists. They want it, but education stakeholders don't want it. They told us months ago that your scheme will lower the quality of education and increase the costs to students.

The problems in post-secondary education are real; they're not invented. Institutions are starved for funds. Tuition fees have increased by 60%. Even though there is OSAP, these people still have to pay. My daughter in university will, by the next year or two, be paying about \$20,000 or \$25,000. That's a real person.

Why are you selling out students with a plan that nobody wants except for your corporate friends?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): Clearly the legislation that was tabled today is something that the students both at our colleges and our universities have been asking for, that employers have been asking for. Students want more choice, and that's what this is all about.

The member talks about tuition. During his tenure in government, the NDP's short tenure, they increased university tuition by 50%. Even the colleges, one of which he and I were at today, would confirm that his government—during their short tenure, thank goodness—only increased fees by 36%.

We have a five-year plan for tuition: a 2% increase per year. This is far better for students. It's responsible; it's reasonable. After all their government did to dissuade our young people from going on to post-secondary, this is the wrong member to ask us questions about accessibility.

Mr Marchese: I don't know. This minister says students want a private university. I haven't met one. "Students want choice," meaning they want a private university? Please bring them in the room. We wanted to ask you the last time, where are these people you are consulting with, and who are these people who support a private university? I say, bring them forward so we can chat with them. You invent this mythological individual, this student, who wants a private university. They're not there.

You have decreased operating funds. Ours were twice as high as yours. In a recession, our operating funds were twice as high as yours in a good economy. Tuition was 60% lower: 60% lower in a recession than in a good economy under you. I'm telling you, when the minister says they are only increasing tuition fees 2%, we're talking about students.

Will you promise students you won't sell them out for the sake of your corporate profits, Minister? Can you do that?

Hon Mrs Cunningham: I didn't hear the exact question, but I think the member is concerned about access-

ibility to our universities. I will say that a group of people that this member purports to represent are people who are having difficulty—

Mr Marchese: Mr Speaker, on a point of order—

The Speaker (Hon Gary Carr): Point of order. Just so you know, you didn't get your question yesterday. We're on time to get it.

Point of order for the member for Trinity-Spadina, and don't blame me about not getting to it if you want to argue back and forth.

Now we've wasted the time. Quite frankly, the member had over a minute on both his questions.

Minister of Training, Colleges and Universities.

Hon Mrs Cunningham: I think the member was talking about accessibility. It's very important to note that we have more students in our colleges and universities. The accessibility of 18- to 24-year-olds has never been higher. Thirty-five per cent of our population is choosing to go to school at our colleges and universities, and we're very proud of that.

In order to help them, I would like to advise the member that he should be telling the people he represents that this government, more than any government, will spend an estimated \$698 million this year to help our young people access universities. In many ways, OSAP is higher than ever before, \$556 million, an increase of \$326.5 million over when this member was in government. Just think of that. Increasing our number of Ontario graduate scholarships—

The Speaker: Answer.

Hon Mrs Cunningham: The private sector and the public sector have set up \$600 million—\$300 million coming from us—for young people's student opportunity trust fund, where 185,000—

The Speaker: Order. I'm afraid the minister's time is up.

HEALTH CARE FUNDING

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is to the Minister of Health. Yesterday our leader, Dalton McGuinty, asked you about the under-funding of hospitals. He pointed to a confidential Ministry of Health document that clearly indicates Toronto area hospitals are receiving \$100 million less this year than last year. He asked you to explain why you would be cutting funding from hospitals when people are on stretchers in emergency rooms and having their surgeries cancelled. When you don't give hospitals enough money, they can't keep the hospital beds open and people don't get the care they need.

There's another part to that confidential ministry document. It shows that Toronto area hospitals have lost over 1,000 beds since 1995, when your government took office. What is incredible is that there are actually fewer acute care beds in Toronto today than there are supposed to be at the end of your restructuring process. In fact, the Toronto Hospital Association says Toronto needs 1,100 more acute care beds just to reach the standard set by your own commission.

Minister, I ask you, why have you cut funding for hospitals and forced them to close beds, and how can you explain that there are fewer acute care beds in Toronto hospitals today than your own commission says there should be?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The member opposite needs to remember there is only one government that has cut health funding, and it is the federal government. In fact, I am disappointed to acknowledge, despite the fact that there was a health agreement reached in September of this year, that we have not yet seen one cent from the federal government and the CHST will not be restored until April 1 of next year. If there's any shame, shame on the federal government for cutting health funding.

In the meantime, our government has increased health funding each and every year. This year, we are spending approximately \$22 billion and we are funding our hospitals at \$7.7 billion. That is up from \$6.8 billion in 1998 and 1999. We have added to our emergency room investments approximately \$725 million.

Mrs McLeod: You were disappointed yesterday too when our leader asked you the question. You were disappointed about the \$2.5-billion error—an administrative error you called it—that your ministry officials had made. We have no reason to believe that any of the numbers you read into the record in this House about health care funding are in any way accurate. We have absolutely no reason to believe that the hospitals are actually receiving any of the dollars you've announced over the past year. We don't even know which of two sets of books you're quoting from.

We know for sure, Minister—and this is fact, documented—that hospitals do not have the beds they are supposed to have. We know for a fact that that is true not just in Toronto, but across the rest of the province. We know for a fact that every single region of this province has fewer acute care beds today than were supposed to be left when you finished closing hospitals. We know that Ontario hospitals have fewer acute care beds per capita than any other province in this country. In fact, only the Yukon has squeezed hospitals more than your government has. Minister, we know you are holding back money that hospitals need while surgeries are cancelled and emergency rooms are closed.

I ask you, will you immediately give hospitals enough funding to reopen at least as many beds as your own commission says are needed?

1440

Hon Mrs Witmer: I think the member forgets the fact that when they were in power and the NDP were in power, there was a closure of 10,000 beds. In fact, it wasn't until our government came to office in 1995 that we recognized that you can't continue to close beds and not open long-term-care beds and not provide community services.

Our government has been restructuring. We are expanding 57 emergency rooms throughout the province of Ontario. We are increasing the capacity. We are

building new hospitals, in fact in the member's own riding—Thunder Bay is getting a brand new hospital. We are building 20,000 long-term-care beds because the Liberals stopped building them. The NDP did not build any at all. Finally, we are making sure that the needs of the people in this province are going to be met.

WELFARE REFORM

Mr Doug Galt (Northumberland): My question is directed to the Minister of Community and Social Services. In 1995, our government promised to keep welfare rates 10% above the average of the nine other provinces in Canada. I've recently seen media reports which claim that your cuts to welfare have had a devastating effect on the poor in the province of Ontario. They claim that welfare rates are simply too low.

I find this hard to believe. We're a government that stands for promises made, promises kept. Have you, as Minister of Community and Social Services, kept our government's promise to keep welfare rates at a respectable level?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): Indeed, in 1995 we committed to keep welfare rates in Ontario 10% higher than the average of the other nine provinces. In fact, we have not done that. Ontario Works rates are up to 34% higher than the average of the other nine provinces. Ontario disability support program rates are as much as 46% higher than the average of the other nine provinces.

We have the most generous earn-back program in the country. We have upwards of 60,000 people on welfare working, with a part-time job as their first step out of the welfare system. In addition to the 768,000 net new jobs that have been created in Ontario, we have more than 549,000 fewer people on our welfare rolls.

Ontario is once again the economic engine of Canada. We're once again a magnet for jobs, investment and opportunity. But we must recommit ourselves to ensuring that those still on the system get the supports they need to move from welfare to work.

Mr Galt: Thank you very much, Minister, for that response. I must say, however, that providing adequate support to welfare recipients is only one piece of the puzzle. As I mentioned in my statement earlier this afternoon, the other part of the puzzle is helping recipients move off the welfare rolls and discover the benefits of having a job. That's why one of our government's commitments is to help people escape the welfare trap and not end up with a hand out.

Minister, I'd like to hear more success stories like the one I mentioned today that took place in Quinte West. What are you doing to ensure that the people still stuck in the welfare trap have a way of getting out and into a job? Also, could you explain to the member from Trinity-Spadina how the NDP government raised tuition?

Hon Mr Baird: My colleague is right. The New Democratic members of the Legislature did raise tuition.

They had promised to abolish it, but in fact they did raise it for students when they were in government.

We've expanded the number of programs available to those on social assistance in Ontario. The Learning, Earning and Parenting program gives additional support to young parents to help them get parenting skills and supports so they can get their high school diploma and be able to realize the dignity that comes with a paid job and the pride that comes with being economically self-sufficient.

We brought in the most generous earn-back program in the country. We've also done a lot for the working poor. This Minister of Finance has taken literally hundreds of thousands of low- and modest-income Ontarians right off the tax rolls, making it more attractive to move into work.

Through the design of the national child benefit supplement, we've made it another advantage to go from welfare to work. With the establishment of the Ontario child care supplement for working families, we've given even more support to make it more advantageous to move from welfare to work.

We're going to continue to provide those supports so that everyone who wants to work can work in the province of Ontario.

WALKERTON TRAGEDY

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Deputy Premier. In September 1996 your government shut down all the Ministry of the Environment labs. Responsibility for 400,000 annual water quality tests was transferred to the private sector. Only eight weeks' notice was given to municipalities. The municipalities were not consulted. There was no requirement that municipalities use accredited or certified labs. There was no requirement that those labs report results of those tests, either to the ministry or to the medical officer of health. Yesterday we heard, through testimony delivered at the Walkerton inquiry, that this resulted in nothing less than chaos. Samples of water tested went missing; other samples were mislabelled; forms weren't filled out.

Deputy Premier, you were warned time and time again by officials like the Environment Commissioner and the Provincial Auditor about this issue. Seven have died, thousands were ill, dozens are stricken with permanent kidney disease. Why did you fail the people of Walkerton when you had all of those warnings?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): Obviously, the leader of the official opposition is aware—everybody in the province is aware—that there is a very serious inquiry going on into the Walkerton matter right now. The government takes this matter very seriously. We will await the findings of the public inquiry, we will be guided by them and we will abide by the facts that are found.

In the meantime, the Minister of the Environment obviously has set in place required testing for water

supplies in the province of Ontario. You will know that in 1993, when an amount was charged for testing water supplies, about 60% of municipalities decided to go to private labs to have their water tested.

I can tell you the government takes this matter very seriously. We will do everything in our control to make sure that it is remedied and that another Walkerton never occurs. But I think the leader of the official opposition may do well to find out the results of the inquiry before he starts—

The Speaker (Hon Gary Carr): The Deputy Premier's time is up.

Mr McGuinty: My concern is that you didn't take this matter seriously from the outset. It's easy to say that you're going to take it seriously now once the inquiry is underway. But you didn't take it seriously up front when you should have. This is what the Environment Commissioner said about your decision to transfer responsibility for water testing away from the ministry into the private sector. She said, in 1996, "The Ministry of the Environment and Energy did not check if drinking water testing is now being done properly." Clearly, here is a situation where some smaller communities around the province are at substantial risk as a result of a decision by the ministry. She put her finger directly on this point and this issue back in 1996.

You ignored the Environment Commissioner at that time. You ignored the Provincial Auditor, who issued the same kind of warning in 1996. I'm very much looking forward to the recommendations to tell us what we should do going forward as a result of this tragedy. What I want some accounting for is your responsibility for actions taken in the past. Why did you ignore that warning?

Hon Mr Eves: The inquiry will indeed, I'm sure, come to some conclusions of fact as to whether what the leader of the official opposition is alleging is true or not. The reality is that the tragedy in Walkerton certainly has made everybody in the Ontario more aware of things that we have, perhaps all of us, taken for granted in the past, such as water supply. Some good at least will come of this terrible tragedy that happened in Walkerton.

Everybody is always smarter after the fact. The reality is that there is an independent public inquiry going on. A very competent individual is in charge of that inquiry. We will await the results of the inquiry and we will act responsibly on them.

1450

ORGANIZED CRIME

Mrs Julia Munro (York North): My question is for the Attorney General. Recently, there have been several news items in the media about the actions of organized criminals. For example, there recently was a widely reported story about a group plotting to blow up an elementary school. They were trying to create a diversion so that they could blow up the wall of a prison cell in order to free their crime leader. The Globe and Mail

reports that, when arrested, these people were in possession of two handguns, two assault rifle and 26 tubes of powerful explosives, not to mention that they were also in possession of drugs and other stolen goods, including a police uniform.

Serious gang violence is no longer something that just happens in the movies. This is happening in our communities and around our children. I ask the Attorney General to please tell us what he and the government are doing to reduce the level of organized crime in Ontario.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank the member for York North for her question. Organized crime is a serious concern for Ontario, for Canada and internationally. It's a problem which is growing in scope and in magnitude. The National Post today reports that gang-related murders have more than doubled since the mid-1990s. This is a serious issue and it is getting worse. Earlier this summer, we had the shooting of a reporter in Quebec which was allegedly associated with organized crime.

Ontario has taken a leadership role in combating organized crime. We had the international summit in Toronto in August. We also had earlier this week, hosted by the Ontario Association of Chiefs of Police, another conference on organized crime. We've called on Ottawa to implement those facets, those amendments to the Criminal Code that are within their control relating to organized crime. They've failed to do that, just as they've failed to act on conditional sentences, on intermittent sentences and on the Young Offenders Act.

Mrs Munro: I find it regrettable that Ottawa does not see this as a problem. It was not that long ago that a reporter from Montreal was gunned down by individuals believed to be linked to organized crime. As recently as last week, we saw the head of the Hell's Angels being arrested in connection to the murder of two prison guards. Another news item from Alberta is calling on the federal government to improve their anti-gang legislation.

Minister, it seems clear that the federal government is not interested in listening to what Ontario's elected representatives have to say. Given the possible early election call, they have no interest or time to hear anyone at all. I ask the minister, what can the Ontario government do to fight organized crime?

Hon Mr Flaherty: I thank the member again for the question. Property laws fall under the jurisdiction of the province. We intend to be the first jurisdiction in Canada to introduce legislation that is specifically designed to go after the proceeds of organized crime, the profits of organized crime, in this jurisdiction.

Our legislation proposes to hit criminals in the pocketbook. This term we do intend to introduce legislation that will allow us to freeze and seize unlawful proceeds of organized crime in Ontario. Stock market fraud costs Canada more than \$3 billion a year. Cellular phone fraud costs our nation \$650 million a year. Tele-marketing fraud, mainly against seniors, costs Canada \$4 billion a year. While the federal government ignores its

responsibilities, we intend to take action and lead Canada.

HEALTH CARE REFORM

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. Minister, I want to ask you when you will take the emergency steps necessary to deal with the emergency room crisis that you have created.

On Monday, I reported that 17 out of 22 hospitals in the GTA were turning away ambulances. On Tuesday, I warned the Premier that the situation was worsening. At noon that day, again, 17 hospitals were turning away ambulances, but by 5 pm that afternoon 20 out of the 22 hospitals in the GTA were turning ambulances away.

Let me remind you of how serious this is. On November 9 last year, at the start of the flu season, the newspaper headlines were screaming, "Emergency Rooms Overflowing." You were scrambling to answer and to explain. At that time, 17 hospitals were on redirect, turning away ambulances. Tuesday of this week, 20 were. Only two hospitals in the GTA were accepting emergency patients.

Minister, your patchwork of fix-it announcements for the last two years aren't working. Will you take some real steps that display the urgency of this crisis? Will you reopen the Wellesley ER and promise not to close any more emergency rooms in the GTA?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Let's at least put this in perspective. I'll quote Harold Fisher, the assistant director of the emergency department at Mount Sinai on September 27 of this year, referring to emergency room pressures: "This is a very old problem. It is at least 10 years old. This is not a new issue." I guess the difference is that for the first time our government is addressing this issue.

In 1998, we set up the emergency room task force and we have adopted a comprehensive emergency room pressure plan. Part of that plan is to expand the community services, part of that plan is to build the 20,000 long-term-care beds that had not been built by the NDP or the Liberals, and part of that plan involves the primary care networks, to increase the access to physicians to 24 hours a day, seven days a week, and of course we are moving forward with a \$725-million investment in emergency room services for more doctors—

The Speaker (Hon Gary Carr): Order. The minister's time is up. Supplementary?

Ms Lankin: You like to, over and over again, point to 10 years and 15 years. You want to put it in perspective? Let me put it in perspective for you, Minister. In 1995, the total number of hours that GTA hospitals were turning away ambulances was 12,700; in 1996, it was 17,000; in 1997, it was 25,000; in 1998, it was 39,000; last year, in 1999, it was 47,700. You have created this crisis. This is not 10 years old; this is not 15 years old.

For two years you've been promising to take immediate steps. Your smoke-and-mirror announcements and all

of your dollar announcements, like the latest one, means there will be fewer nurses in the hospitals when hospitals have to dip into their operating budgets to come up with the \$90,000 to participate in your new plan.

I'm telling you, this week you've got 20 out of 22 hospitals turning away ambulances. You've got ERs backed up. You've got ambulances backed up. You've got dispatchers' calls, emergency calls, backed up. We need an emergency response. Your long-term solutions, if they ever kick in, we'll look for them. Right now we've got people whose lives are at risk.

Will you promise, commit today, to reopen the Wellesley ER and to stop the closure of any further emergency rooms until you fix this problem?

Hon Mrs Witmer: The member knows, although she refuses to acknowledge it, that there is throughout Canada increasing utilization and pressure on our emergency rooms. In fact, it was Mr Allan Rock, at our most recent meeting of federal, provincial and territorial ministers, who raised it as an issue and said, "What are we going to do to deal with it?"

In this province, since 1998, we have developed a comprehensive plan. I'm very pleased to say that we are moving forward. There is an acknowledgement that there is improvement within the system. The steps are being taken. There is additional money; there are more discharge planners; there is more co-operation among all of the stakeholders; there are new emergency rooms being built; there are going to be more spaces as well.

I just would like to indicate to you that you need to remember we have a growing and aging population and we are going to continue to need to respond to the needs of those individuals and we're doing so. At no time is a hospital—

The Speaker: I'm afraid the minister's time is up.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Ms Caroline Di Cocco (Sarnia-Lambton): My question is for the Minister of Community and Social Services. Four Sarnia-Lambton agencies—the Lambton County Association for the Mentally Handicapped, the Sarnia and District Association for Community Living, St Francis Advocates and Christian Horizons—asked your ministry for \$2.7 million to meet the basic needs of people with developmental disabilities. These organizations asked only for what they needed. Your ministry gave these four agencies \$106,000; \$106,000 is just enough to help a single high-risk client. The agencies have begun turning families away. Group homes are full. There are no beds for respite care. When families go to these agencies today, the agencies call the local ministry office, and do you know what the response from the ministry is? "We don't have the money."

Minister, more than 100 developmentally disabled will be turned away or have existing services withdrawn unless there is an immediate infusion of \$670,000 and another \$2 million over two years. Where are these

people with disabilities to go, and who can these families turn to?

1500

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): This government takes its responsibilities to provide support to people with developmental disabilities and their families incredibly seriously. Last year, the previous minister increased funding in this sector by more than \$35 million, and this year we increased support by more than \$50 million.

I'm not the one who's going to stand in this place and suggest that that's going to meet or come close to meeting every need out there, but it was the biggest increase in more than a decade. It demonstrates our commitment to do more to protect and provide support for people with developmental disabilities and their families.

We recognize that more can be done. We're undertaking a process to review the situation, to look at plans and ways we can help meet these growing needs, because it's an important responsibility of government.

Ms Di Cocco: Minister, I want to give you a real-life example. Diana Huybers, for example, is a 45-year-old developmentally disabled woman who has been a client with the agencies for years. Her mother is now 76 years old. There is no room available in a group home for Diana.

Her dad is 72 years old, and do you know what he said? "We've always looked after her. But what are we going to do now?"

Families like the Huybers have raised their children at home and have saved government millions of dollars. Now they need help, and it's not there. These families are only asking for what they need. These agencies have been dealing with restructuring over the last couple of years, and they keep saying, "We can't do any more with any less." They asked for \$2.7 million. You only gave them \$106,000. These are 120 people who are being put at risk today in Sarnia-Lambton.

Minister, will you at least take some responsibility here and restore to these agencies the funding to help these people, because they cannot help themselves?

Hon Mr Baird: For this member to come in the House and use the word "restore" leaves the impression with those people watching on television that that funding has been reduced. The member is wrong. She has not done her homework, and she should have done it before she came in here.

Let's look at the facts. In 1997-98, \$91 million went to the southwestern region; in 1998-99, more than \$101 million; in 1999-2000, rising to \$108 million; this year, rising to more than \$112 million. This government has made substantial increases to provide additional support for these people who were most vulnerable.

For the member opposite to use words like "restore" suggests and would leave the impression that cuts have been made, and that is simply not the case.

Let's look at the advocates in this community. June Chiu, the president of the Toronto Association for Com-

munity Living: "It is reassuring to have a minister who understands the needs of people with developmental disabilities and their families."

Let's look at the president of the Ontario Association for Community Living. "The minister should take full credit for listening and responding to the concerns that families and their associations have expressed."

This government has—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

ONTARIO YOUTH COUNCIL

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): My question is to my colleague the honourable minister responsible for children.

I recently received a package of information from your office on the Ontario Youth Council. I was pleased to see that we are bringing the bright young people of the province of Ontario to the table to get involved in provincial government. I regularly work with the teens in my riding of Bramalea-Gore-Malton-Springdale, and both my daughters are teenagers. I know what a tremendous contribution they can make.

Minister, what will be the role of the youth councillors and how will they work with our government?

Hon Margaret Marland (Minister without Portfolio [Children]): I am very excited about this initiative, which will bring teenagers from all over the province to share their ideas, discuss subjects of importance to them and their peers, and to provide advice to the government on issues of provincial significance.

As the chair of the Ontario Youth Council, I will work directly with the members, listening to their opinions, participating in their discussions and using their advice to support me at cabinet as the advocate for Ontario's children and youth.

The council will meet three times a year in Toronto and once a year outside of Toronto, and will be made up of teenagers representing both rural and urban interests and of all different backgrounds and circumstances.

Mr Gill: As part of the package sent to me by your office, I received a poster, which is right here, that I have put up in my constituency office to get young people involved.

I see that the application deadline of October 27 is fast approaching and know that teens in my community will not want to miss out on this opportunity to participate. I think it will be a great experience for them, not to mention an excellent activity on their resumé.

Minister, I want to make sure that all the young people of my riding and all over Ontario know about this new council. Where else can they get information on this great initiative?

Hon Mrs Marland: I am pleased to hear that our youth council poster is up in my colleague's constituency office. I actually sent the same poster and the same package to every member in this House, all 103 ridings. Every secondary school in this province received a

package. The information is on our children's secretariat Web site, and we encourage all secondary-school-age students to contact our office if they are interested in serving on our Ontario Youth Council.

Additionally, we've sent packages to the YM-YWCAs, Junior Achievement, Boys and Girls Clubs, scouts and guides organizations, community centres, and townships throughout this province.

You can see that we are very committed to getting these teens together from a variety of backgrounds to represent the youth of Ontario at Queen's Park. I look forward to meeting with our new councillors and reporting back to you on their insight.

TRANSPORTATION FOR THE DISABLED

Mr James J. Bradley (St Catharines): I have a question for the Minister of Citizenship, Culture and Recreation. This month, Mobility Niagara, a transportation service for the physically disabled in the Niagara Peninsula, shut down its operations because of lack of funding.

Mobility Niagara was operated by a non-profit organization and provided transportation for disabled people on a subsidized basis, to get to school, work, and to medical appointments. It was an essential service that allowed disabled individuals to reach destinations within Niagara, and to lead a life with fewer impediments to their mobility.

Minister, I was looking at the directory of services for the government. Your mandate includes, "support equal opportunity for all Ontarians." Will you fulfill that mandate by ensuring that your government provides funding to re-establish this essential transportation service for disabled people in Niagara?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I want every member in this House to know that I am always pleased to work with any member who wants to provide services for people with disabilities.

Let me say that we provide a number of services for people with disabilities all across this great province. We fund, through my colleague the Ministry of Community and Social Services, partnerships with the Ontario March of Dimes to ensure that home and vehicle modifications happen across this province. We work with the Ministry of Health to ensure that we have an Alzheimer's strategy. We work with housing spaces with the Ministry of Municipal Affairs and Housing. We certainly work in a number of different areas. I work with the Ministry of Education to ensure that we have special education dollars for people with disabilities or special needs. You can see that we work with a number of areas. I also work with my colleague at the Ministry of Transportation to ensure that we provide services.

But let me remind you—and I know I don't need to remind the member opposite because he has a vast amount of political experience—that municipalities have

responsibilities too to provide services in their community. We have funded—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. Supplementary.

Mr Bradley: I know that the Harris government has completely abandoned public transportation in this province in terms of its financing. It has just gotten right out the business of public transportation completely.

You say that they should go to the municipalities. Well, the municipalities, because of downloading, have a lot more financial commitments and have a difficult time meeting these obligations.

Mobility Niagara has provided a unique transportation service, one which served the disabled and permitted them to reach places such as work, schools and medical appointments. This is not a general service; it's a specific, unique service. Over 450 people in Niagara need this service. It is not a luxury; it is not a frill. Disabled people need this service genuinely.

Your government has spent close to \$200 million on self-serving, blatantly political advertising. Will you, as minister responsible for the disabled, go to bat for Mobility Niagara and provide the funding to re-establish and operate this essential service?

It's a specific question. I enjoyed your answer previously about all the services you provide. This is a specific question; I'm looking for a specific answer, along with all my colleagues in Niagara.

Hon Mrs Johns: Thank you very much for the question. Let me remind the member opposite, and I know he needs no reminding, that the welfare rates are down in Ontario, 50% in the region of Niagara, which gives them extra room to be able to provide different services for people with disabilities. So let me remind him of that.

Let me also remind you that this group met with my colleague the MPP for Erie-Lincoln. He suggested that there were a number of community organizations that they should work with, look for, and if they needed extra help after that, he's certainly be happy to help them. My congratulations to the MPP from Erie-Lincoln. I look forward to working with him on anything that disabled people across the province might need.

Mrs Lyn McLeod (Thunder Bay-Atikokan): Point of order, Mr Speaker: I would ask you to rule on this as a point of order. You'll be aware that over the last two days there have been repeated references from both the Premier and the Minister of Health to the decline in visits to emergency rooms in the Toronto area. I would like the House to consider as evidence of factual record the OHA report that shows that in fact there has been an 8.8% decline in the number of emergency room visits since 1994-95. Therefore, that's not the cause of the crisis we're facing.

The Speaker: That's not a point of order. The member for Brampton Centre.

Mr Joseph Spina (Brampton Centre): My question is to the Minister of Education. Minister—

The Speaker: Further to the point of order, the Minister of Health?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Point of order, Speaker: There was no reference made to declining visits. In fact, I spoke today about the increasing utilization of our emergency rooms.

The Speaker: New question?

STUDENTS WITH SPECIAL NEEDS

Mr Joseph Spina (Brampton Centre): No more points of order? Good.

My question is to the Minister of Education. I recently had meetings with the associate director and director of one of our boards locally. We know that boards across this province, not just in Niagara, are working to serve the growing number of special-needs students within their community and the challenges that come with servicing these students. I understand that yesterday you released province-wide standards for individual education plans for these special-needs students. Minister, can you tell us what these standards are, how these new standards will help the students in my riding and others across the province with our boards?

Hon Janet Ecker (Minister of Education): Serving the needs of those students with certain exceptionalities, our special-needs students, is a very important priority of the ministry and school boards. We've been able to increase funding to boards for special needs for three years in a row, but we recognize that simply spending more money is not necessarily going to provide better quality services for these children unless we also pay attention to how we are providing that money.

One of the steps that was recommended to us by our education partners was to have clear standards, expectations for the kind of programming that students should be receiving from school boards. One of the sets of standards we released yesterday had to do with what we call "individual education plans," where what a student needs is planned individually every year to make sure they're getting the support. Those individual education plans make sure that parents are more involved, that they have a clear voice, and that we can all be more accountable for those services. So those plans—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have even more petitions to the Legislative Assembly concerning the northern health travel grant.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment

outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

These particular petitions are mostly from the north shore of Lake Huron.

The Deputy Speaker (Mr Bert Johnson): Further petitions.

Mr Ted Arnott (Waterloo-Wellington): I have a petition that's signed by 52 people who either live in my riding or live nearby. It asks that the Ontario Legislature demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This has been signed by another 100 concerned constituents, who join me in hoping that the indication that there may be some increased funding for the northern health travel grant program is in fact going to be realized in the near future.

Ms Shelley Martel (Nickel Belt): I have another petition about the government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement of costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I agree with the petitioners. I have signed my name, and I'd like to thank Gerry Lougheed Jr for all his efforts.

KARLA HOMOLKA

Mr Toby Barrett (Haldimand-Norfolk-Brant): This petition reads:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka, resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I sign this petition.

1520

McMICHAEL CANADIAN ART COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of 20th-century Canadian art;

"Whereas the passage of Bill 112 would: constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection; vest too much power in the hands of the founders, who have been more than compensated for their generosity; diminish the authority and responsibility of the board of trustees; limit the focus of the art collection and hamper the gallery to raise private funds, thereby increasing its dependency on the taxpayers; and significantly reduce its capacity and strength as an educational resource;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I affix my signature to this petition.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have another petition regarding this government's discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is signed by a number of residents of my community. I agree with it, I affix my signature to it, and I'd like to thank Gerry Lougheed Jr for his efforts.

REGISTRATION OF VINTAGE CARS

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): "To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

Many people have signed this, including a Wesley Parker, and I'm happy to sign my name to it.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have more of the thousands of petitions I've presented.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial

support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in their communities."

This is signed by a large number of my constituents in the Spanish area.

LORD'S PRAYER

Mr Toby Barrett (Haldimand-Norfolk-Brant): I have a number of petitions from people who are concerned that we continue to maintain prayer in the Legislative Assembly.

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century;

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and tradition and continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings in accordance with its long-standing established custom and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I affix my signature to this petition.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker, that I think you might be able to help me with: Having just listened to the petition which was presented by the member for Norfolk and other places, are you aware of anybody who has suggested in this House that there's not going to be prayer? Are you aware of that at all, sir?

The Deputy Speaker (Mr Bert Johnson): It's not a point of order. The member's from Haldimand-Norfolk-

Brant and question period is over, I'm sorry. So are petitions.

BUSINESS OF THE HOUSE

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: I have a statement of business of the House for next week.

On Monday afternoon we will have a Liberal opposition day. On Monday evening we will continue debate on Bill 124, the Toughest Environmental Penalties Act.

On Tuesday afternoon we will continue debate on Bill 124, the Toughest Environmental Penalties Act. On Tuesday evening we will begin debate on the Ministry of Training, Colleges and Universities Statute Law Amendment Act.

On Wednesday afternoon we will continue with Bill 94, the Ontario Racing Commission. On Wednesday evening we will continue debate on the Ministry of Training, Colleges and Universities Statute Law Amendment Act.

On Thursday morning, during private members' business, we will discuss ballot items number 43 and 44, and on Thursday afternoon we will continue debate on the Ministry of Training, Colleges and Universities Statute Law Amendment Act.

The Deputy Speaker (Mr Bert Johnson): That's very formal business, quite necessary, and I thank you for it, but it's not a point of order.

ORDERS OF THE DAY

TOUGHEST ENVIRONMENTAL PENALTIES ACT, 2000

LOI DE 2000 SANCTIONNANT PAR LES PEINES LES PLUS SÉVÈRES DES INFRACTIONS

DE NATURE ENVIRONNEMENTALE

Resuming the debate adjourned on October 18, 2000, on the motion for second reading of Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties / *Projet de loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.*

Ms Marilyn Churley (Toronto-Danforth): I have 11 minutes or so left to wrap up from my leadoff speech for the NDP on the so-called Toughest Environmental Penalties Act. It seems to me the Tories think that if they say it enough, loud enough—great title—that people will really believe they are protecting the environment.

I outlined yesterday many of the problems with this act before us today and I want to spend a few minutes

now talking about my disappointment that there's absolutely nothing in the bill before us about air quality.

I found it interesting that, I guess in the wake of Walkerton, which is why I believe we have this act before us, there is a hodgepodge of things tacked on about the protection of our drinking water, but there is nothing about air quality. I want to remind the government that it's been well documented now that thousands of people in Ontario die prematurely directly as a result of smog and air pollution. That too is an issue that desperately needs to be addressed, yet we had the Minister of the Environment go to a national conference on reducing pollutants that cause climate change who was the only minister not to sign on to the deal. We had every other province, every territory and the federal government all sign on to this agreement to reduce the emissions that cause climate change, and the Minister of the Environment here in Ontario didn't do it. It's a disgrace.

This is a very serious problem. The minister had an opportunity to finally show some leadership. I was told that the minister actually showed up at the meeting with pre-prepared boards—the big boards for a press conference after, to explain his position—already written, already pre-prepared, giving the reasons why they were not going to sign on to this deal. It's very clear the minister went into this meeting knowing already that they weren't going to sign on and had the boards ready in advance to show why they weren't going to do it.

1530

One of their excuses was that they wanted all the provinces to sign on to the vehicle emissions program we have here in Ontario. That's absolute nonsense, to look at that as the main goal of reducing greenhouse emissions and others that cause climate changes. To suggest that to set up vehicle emissions programs in rural PEI is going to make any difference is ludicrous. That is not the answer for rural areas, and it's such a tiny percentage of what has to be done to deal with these emissions.

We have an example of what this government has done, or should I say hasn't done, to improve air quality here in Ontario and do its bit. Did you know, and we've said it in this House, that Ontario is the only jurisdiction, not only in North America but in most of the world, that has a public transportation system which does not provide one cent of funding? This government, when it came into office in 1995, immediately cancelled all of that funding and left it on the backs of the ratepayers, the municipal taxpayers.

Mr James J. Bradley (St Catharines): Every penny of it.

Ms Churley: Every penny of it. Zero dollars are going now from the provincial government into providing public transportation. I think that's about—I don't know—\$1 billion or something from the provincial investment into transit. Then when the government stands up and says, "Oh, well, we're going to reduce all these emissions because we have a vehicle emissions program," let me tell you, it's a tiny piece, but not only that,

cancelling the funding for public transportation absolutely wipes out any benefit whatsoever from the vehicle emissions testing program. It not only wipes out any benefit, but it cancels it out, and our air quality is actually getting worse.

To stand up and brag about a program that would have been so beneficial—it's something the NDP pushed for. We had started a pilot program when we were in government and pushed for a vehicle emissions program that was supposed to go along with funding for public transportation, which was supposed to go along with a proper green Planning Act that discouraged urban sprawl and built on the public transportation system, that was supposed to go along with converting dirty coal-fired plants to cleaner gas. All of these things were supposed to work together. That was supposed to go along with energy efficiency programs and the green communities programs that the NDP put into place. All of these things were supposed to work together to help reduce pollutants in this province, to try to deal with this very dangerous situation that we're heading blindly into under this government's watch.

The whole scientific community now agrees that climate change is a problem. We have to act in as non-partisan a way as we possibly can to do something about it, and here we have a government that stands up and tries to defend its pathetic record on environmental protection in this province. The minister went to this conference and refused to sign and came back talking about, "We are leaders, we are doing better than any other province," when every document, even their own, shows that they're the opposite, that they're a disgrace and are doing less than any other government.

We had the Premier laugh at the government of Alberta and say, "All they're doing is putting in money to retrofit schools so they're more energy-efficient. What's the point of that?" Under our government, that program was already in place.

Mr Doug Galt (Northumberland): It was a failure.

Ms Churley: You're a failure. You're a disgrace. You stand up there and try to justify your pathetic record.

Interjections.

The Deputy Speaker (Mr Bert Johnson): Order. I ask the member to speak to me, and I ask other members to act like they'd like to stay with us a little longer.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: I realize the debate is emotional and the member feels passionately about this. She made a personal reference to another member of this House in a derogatory way. I ask her to withdraw that.

Ms Churley: Sit down and give me my time.

The Deputy Speaker: If you feel that you should, you can withdraw it. I'll make sure you get a proper allotment of time.

Ms Churley: I have nothing to withdraw. I think the government members are trying to sit me down because they don't want to hear what I have to say. Just sit down and let me have my few minutes.

The Deputy Speaker: Order. I'd ask you to do that. I'll look after the time.

Interjections.

The Deputy Speaker: If two of us are standing, one of us is out of order and it's not me.

Interjections.

The Deputy Speaker: I didn't hear anything that has to be withdrawn. I asked her to do it if she wanted. That will suffice.

Hon Mr Klees: On a point of order, Mr Speaker: I'm fully in support of vigorous debate. What I don't believe is appropriate under the standing orders of this place is that one member refer to another member in a derogatory way. Hansard will show that is what happened. I would ask the member to do the honourable thing and withdraw it.

Interjections.

The Deputy Speaker: In terms of my prior ruling, that is not a point of order.

Mr John Hastings (Etobicoke North): On a point of order, Mr Speaker: While you were having your interchange with the member for Oak Ridges, the member for Toronto-Danforth, in an exchange privately with one of our colleagues, said "Shut up." I know you didn't hear it, and I may be ruled out of order, but it does reflect a sort of insensitivity to the rights of members in this Legislature.

The Deputy Speaker: That is not a point of order. Would you put three more minutes on the clock, please.

Ms Churley: Thank you very much, Mr Speaker. I certainly will withdraw the comment to the honourable member across the floor asking her to shut up. I find it really distressing, when I'm trying to speak in this House, that members start yelling and laughing and pretending that this is not a serious issue we're talking about.

I would say to the members that I believe the interjections are a thinly veiled attempt to take time off the clock so I won't have the opportunity to hold them to the fire and tell the public about their pathetic environmental record. I believe that is my job. Somebody has to do that. I find the honourable members across the floor sometimes take the position that only they know what they're talking about, and how could I, a member of the New Democratic Party, possibly know these facts?

Let me assure you that I do, and that I came into politics as an environmentalist. Yes, I have what some might consider an extreme passion for the issue, because in my riding of Riverdale, which it was called at the time, I had children who were affected by lead poisoning and who had brain damage and, to this day, learning disabilities. They were never compensated, and it took years and years for governments of the day to even listen to the community that there was a problem. Then, when it was finally determined that we were in fact telling the truth and the blood tests were done, it was too late for a lot of those kids. That's why it's so important that when we, and others who know the issues and understand what's going on, stand here and give warnings to any government of the day, we shouldn't be laughed at and cast

aside and our credibility constantly undermined. We know what we're talking about, and we're trying to make a difference.

1540

We heard the Deputy Premier today, the finance minister, try gently to blame the NDP for what happened in Walkerton by bringing up the fact that it was the NDP that allowed private labs to do some of the water testing. Indeed, and nobody has ever denied that. But the NDP kept four labs open across the province, so any municipality that couldn't afford to go to a private lab or didn't have a good accredited lab in their community, or for whatever reason, continued to have access to a reliable government lab. That access was still there. Furthermore, the reporting structure was still the same. Any negative effects had to be reported to the Ministry of the Environment and the medical officer of health.

Under this government, in 1995 and 1996—and it's well documented—all that changed. The government labs were shut down, and municipalities had eight piddly weeks to find a private lab in their district. That's what happened. Reporting structures were changed. We have news stories in the media about the testimony from one of the private labs that did the first testing in Walkerton. He said very clearly that those laws had changed in 1995-96 and that he would have contravened corporate policy, which is to maintain the confidentiality of a client's test results. That's why he didn't tell anybody but the town water manager. That's well documented. That happened.

We had discussions about Walkerton before in this Legislature. I read Hansard back as far as 1992, 1993, 1994 and 1995, when I, my leader Howard Hampton, the previous Environmental Commissioner and others warned this government repeatedly that there was going to be a disaster in our communities somewhere in the province in the water area because of the specific changes in policy and the massive cuts to the environment and to the staff. We're talking about 60% over four or five years.

It goes without saying that those policy changes and those massive cuts had a massive and huge impact on the government's ability to protect our health and the environment. I warned the government before and nobody listened; so did others. I'm trying to warn the government again that there are good grounds here for a massive restructuring of the Ministry of the Environment, and they just won't listen.

The Deputy Speaker: Comments and questions?

Ms Marilyn Mushinski (Scarborough Centre): I suppose it's unfortunate that in my attempt to perhaps elicit some truthful statements from the member opposite, I encouraged her to—

Ms Churley: On a point of order, Mr Speaker: The member accused me of being untruthful, and that is unparliamentary. I would ask her to withdraw.

The Deputy Speaker: It is a point of order. I want to say to everybody here that when we say things about people opposite, even though we don't call them a certain name, it's almost as inflammatory. So I would caution

and I would ask the members to keep that in the back of their minds when they're making their comments.

When you're addressing others, I think you should assume that they're in this Legislature with the same authority and backing of their constituents as you are, even though they may belong to a different party and sit on a different side of the House.

The member for Scarborough Centre has about a minute and a half.

Ms Mushinski: I would say to the member for Toronto-Danforth, who seems to know so much about this issue, that I can certainly recall when I was a member of Scarborough council how the NDP were quite willing to put Toronto's garbage in the backyard of Scarborough. Just for the record, she's not so pure.

Hon Mr Klees: What about the Oak Ridges moraine?

Ms Mushinski: The Oak Ridges moraine is another issue, but I would suggest that her track record on protecting the environment is not as pure as she contends.

The issue that's in front of us is the Toughest Penalties Act, 2000. What this bill is all about is getting tough on polluters, something that she fails to understand because they never did it. It's unfortunate that they don't think about things like that. In fact, we need to be on record as saying that we now have the toughest fines in all of Canada for major polluters. It's unfortunate that the NDP didn't think about that when they were driving up the deficit and driving jobs out of this province—something that also has to do with a good environment, I might add.

The Deputy Speaker: Comments and questions.

Mr Dwight Duncan (Windsor-St Clair): I am pleased to respond to the member for Toronto-Danforth, who does bring real passion to this issue, and I think that should be respected by members opposite. Even though from time to time we differ on issues in here, some of us feel particularly passionate.

I would say that I agree with the member's assertion that there are flaws in this government's environmental policy that this bill doesn't address and, in the absence of addressing those problems, one can only conclude that in fact this government, as it is with victims of crime, is really all talk and no action. I think that's unfortunate.

You will not be able to enforce these fines given what you've done to the ministry's ability to inspect, lay charges and prosecute. Members opposite are no doubt aware that under the Harris Conservative government, the number of fines levied has dropped precipitously in the last five years.

I would have preferred to have seen a more comprehensive initiative on the part of the government, one that perhaps addressed the cuts they made to the ministry, the fact that they can't enforce these penalties and they can't in fact—

Interjection.

Mr Duncan: It'll be like anything else. I'll predict today that we will not see an increase in the number of fines collected over the next five years. We won't see that. It's unfortunate that they don't address that.

I would be remiss if I didn't comment that yes, higher penalties are great. I look forward, as I'm sure the member from Toronto-Danforth does, to seeing the results. In my view, the results will be the same: the kind of embarrassment we saw in Quebec City on air quality by this government, out of sync, not only with the other nine provinces and three territories, but out of sync with the international environmental community and other governments. It's most unfortunate, most sad. I wish there had been a lot more with this bill.

The Deputy Speaker: The member's time has expired.

Mr Rosario Marchese (Trinity-Spadina): I want to congratulate, most sincerely, my colleague from Toronto-Danforth for her diligence, vigilance, tenacity and as a person who I think has been an active promoter and defender of good environmental policies. I think we are fortunate to have members like that. She made her leadoff speech and has covered so much ground.

I would remind people of some of the things she touched on. You will recall that a couple of months ago my colleague from Toronto-Danforth had leaked a cabinet document wherein it said, "There is a growing public perception that the government is not protecting the air, water and land." It goes on to say, "This is partly the result of a perception that Ontario is not enforcing its environmental laws." No kidding.

1550

Our member from Toronto-Danforth has on a repeated, continual basis pointed out that the government has decimated the ministry budget and shed some 900 environmental staff. So it should be no surprise when people's perception is that we're not protecting our environment. It said, "Fewer than 10% of pollution sources in the province are inspected each year." No kidding.

It continues to add that 500 of the staff would have to be hired back to do an adequate job of enforcement, and they just recommended 65 staff to be hired, I think on a part-time basis, to do the job that 900 people used to do before. So they come up with a title that says Toughest Environmental Penalties Act, which in my view speaks to the deficit of what they've been doing. It's an admission of the failure of this government to treat and protect our environment properly.

I congratulate our member from Toronto-Danforth.

Mr Galt: I congratulate the member from Toronto-Danforth on her performance, but the content seemed to be lacking quite a bit. She was talking about a lack of coverage on air. That just exposes the fact that she didn't read the bill. She's here more for a photo op and to speak than to really address seriously this bill. I suggest that, even though she's spoken for an hour on it, she go home and read the bill prior to making a lot of other comments.

She talked about the Minister of the Environment leaving a meeting. She talks first about tough laws and then she talks about a wishy-washy plan that the minister should have signed. Certainly he was very disappointed as the feds refused to introduce national standards for landfills, for electricity, for vehicle emissions. They're

not ready to commit to a comprehensive plan to get tough on air pollution at home or abroad. That's the way it is; that's the record. She seemed to think that our minister should sign a wishy-washy plan when in fact we're doing far more. It's obvious that she's consistent with this, because she says, "Why should you have vehicle emissions programs in PEI?"

Are you not concerned about all the air that surrounds this earth or are you only concerned about the air in Toronto? Is that the only air that matters to you? Well, let me tell you, there's more air in this world than in Toronto. There's the rest of it across Canada and internationally around the world. There should be vehicle emissions programs right across this great nation of ours, not to mention other states.

You also go on to talk about municipal transportation and why aren't the provincial government and federal and all the rest involved municipally. Should somebody on lot 15, concession 4, of a township in Ontario be paying for your transportation in Toronto? I think not. There's only one taxpayer out there, and let the taxpayer who's responsible for it pay for it.

The Deputy Speaker: We'll just wait a moment. Just before they leave I wanted to inform the House that Dr Peter Trainor and his wife, Sara, are in the west gallery. We want to welcome them to Toronto. My smile can attest to their dedication, skill and experience.

The member for Toronto-Danforth has two minutes to respond.

Ms Churley: While I would say thank you to all of the members who responded to my speech, I say to the member for Northumberland that his comments were too silly to even respond to. Obviously, people know that I'm talking—

Mr Marchese: And shallow.

Ms Churley: And shallow—about more than the air in Toronto. It's very clear to any intelligent person listening out there exactly what I was saying around the need for policies more than vehicle emissions programs, particularly in rural areas, but all across the province.

The member for Scarborough Centre—garbage. Well, you know, the NDP wasn't dumping millions of tonnes of garbage into a lake, into rock which has cracks and fissures in it—fractured rock. The issue of garbage: we were in the process of starting a real environmental assessment which would have looked at alternatives. This government watered down the EA act so that you don't even have to look at alternatives any more. Had we gone ahead with that process back then, if they had taken up the torch and gone ahead, we would have composting and other really new technologies around the 3Rs in place now. But they cancelled all that, because all they wanted to do was throw garbage in a lake, where it's going to leak and cause untold damage to our environment and health down the road.

To the member for Windsor-St Clair, thank you very much for your comments. I would like to add that I speak with much more than passion about the environment. I come to this issue with—

Ms Mushinski: With venom.

Ms Churley: Yes, with venom sometimes—with a fair amount of knowledge, and that's what these members continue to dismiss.

To my colleague, thank you for bringing out that fines have actually gone down instead of up under this government.

The Deputy Speaker: Further debate?

Mr Galt: Thank you very much for the opportunity to address the second reading debate on Bill 124, the Toughest Environmental Penalties Act, 2000. I don't think there is any question that this bill is properly named. It couldn't have a better name. It's An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties. We're going to have, once this is passed—provided the opposition and all the members in this House, at least a majority, look favourably on passing it—some of the toughest fines and some of the longest jail terms in Canada for major environmental offences.

I was a little embarrassed this morning at the debate we had between 10 and 11, when the member for Hastings-Frontenac-Lennox and Addington introduced a bill about water-taking permits. Lo and behold, her leader came into the House. I felt sorry for her, that he would come in and take away from her in a private member's bill. This is the kind of thing that is going on in that party. Here is a newly elected member trying to do her part in ensuring quality of water—

Mr Duncan: On a point of order, Mr Speaker: The member cited by the member opposite in fact invited her leader to come and speak on the bill and, I should add, was very delighted that he did so.

The Deputy Speaker: That is not a point of order.

Mr Galt: Thank you very much, Mr Speaker. I thought that was an excellent ruling.

It's interesting that he did come, whether invited or not. I felt embarrassed for her that she needed that kind of support. Maybe he did come on his own volition, maybe she invited—

Mr Duncan: On a point of order, Mr Speaker: I would ask you to rule—and I'm referencing particularly the standing orders—on what can be attributed to a member by another member. The member has suggested that my colleague, who is not here, should have been embarrassed, when in fact I know that she wasn't. He is attributing an emotion to her, in much the way he might play around with the words.

I just think, sir, in fairness to the member, who is not here—and I can say unequivocally that she was not embarrassed. In fact, we're all very proud of Dalton McGuinty. We want Dalton McGuinty to be Premier, to put an end to the kind of nonsense we see emanating from that side of the House.

The Deputy Speaker: That is not a point of order.

Mr Galt: On a point of order, Mr Speaker: I wonder if I could have two minutes replaced, as that was not a point of order?

The Deputy Speaker: I will do everything in my power to make sure that things are run fairly.

Mr Galt: So I don't get the two minutes back?

The Deputy Speaker: I think you should take me at my word.

Mr Galt: Thank you very much, Mr Speaker.

As I was saying about the situation, which obviously really bothers the honourable member across the House—he's getting a little irritated over some of the truth that I'm talking about.

1600

Maybe I'll remind him about his leader coming into my riding on an environmental issue related to this. On August 18, he rode into the Peterborough riding and then into mine—it was on the hog farm issue at Trent River. He finally he took an interest after we had been out consulting for the previous six to seven months. He took an interest and finally came for a photo op to the Trent River. I didn't know at that time why he wouldn't have invited the member in the next riding to come and join him because she has such an interest in the environment. As I say about the party across the House, just too little, too late, looking for a photo op rather than real concerns that our government has been bringing about, like tough fines and the longest jail terms for serious environmental infractions. That's really what we're doing.

As they say, if you can't do the time, don't do the crime. I think this is indeed what this bill is about. We need to get tough on those people who flaunt our environmental laws. Nobody—and I stress nobody—has the right to pollute, and if they do, stiff penalties should be in place to send a message to serious offenders.

We came into office in 1995. I hear what the members from the NDP are saying, but what we found were wimpy laws and wimpy regulations that were left by a socialist government. It was interesting, being the parliamentary assistant to environment at that time, to go with the then minister, the member from Guelph-Wellington, and tour where the previous NDP minister had his office and his staff. Do you know, there were some 40 workstations in that area. Forty staff were there to support that minister. The two ministers I've worked with had less than 10. I am left thinking, they should have been four times as good to have four times the number of political staff in the minister's office. For the life of me, I can't imagine what they did for the last year. It was a do-nothing government for that last year in particular. What were those 40 people doing in Minister Wildman's office? I have no idea. Maybe because they had 40 on staff, that made them think they were doing something.

When we came into office and saw things like environmental assessments being waived by the Minister of the Environment for the Liberal government, it seemed a standard during that lost decade. He'd waive environmental assessments, and so did the NDP government waive environmental assessments, waive assessments on three landfills—not just one but three landfills—on the Oak Ridges moraine. The Oak Ridges moraine that they

have talked so much about protecting, their Minister of the Environment waived environmental assessments. It was this Interim Waste Authority that was really going to do something, and they were so proud of it. She talked about not putting it in a lake. They were putting it into the underground water directly, should one of those landfills tend to leak.

This bill is really about keeping promises. That's sort of the theme that I see here. Certainly, if it's passed, it's going to have maximum fines for some of these major offences. I look at some of these fines and, wow, it should wake up corporations, should wake up individuals. A first offence for a corporation will go from a maximum of \$1 million per day up to \$6 million per day, and on subsequent offences it could go up from \$2 million per day up to \$10 million per day. I think corporations will think twice before they pollute in the future. For individuals on first offences it will go from \$100,000 max up to \$4 million per day. You'd probably have to be a Liberal or a New Democrat to have that kind of money to pay. But that's the kind of increase that's going to be there. Then for subsequent offences the fine is going to be from \$200,000 per day up to \$6 million per day.

We're also increasing the maximum jail term. In Bill 124 we're considering increasing it and it will move, if it's passed, from a maximum of two years to a maximum of five years. As well, administrative penalties will be moved from a cap of \$5,000 up to a cap of \$10,000 per day.

I mentioned earlier about keeping promises. I'm sure you will remember back on September 25, in our fall action plan, the Premier made the comment vowing to keep Ontario strong by continuing the Common Sense Revolution and also committing to this bill. As well, it was made reference to in the Blueprint back in 1999.

The Premier, on behalf of this government, made a promise to take strong steps to protect Ontario's environment. Certainly, Bill 124 is part of the government's promise.

We've kept a lot of other promises—promises made, promises kept—a promise like cutting taxes and, wow, look how it stimulated this economy. We promised to cut red tape and create jobs, get rid of job-killing regulations, and certainly that has happened in this province with the kinds of jobs that you're seeing being created. We also promised that we'd create a government that costs less and does a better job and is more efficient. Again, that is what's happening here in the province. I can tell you, there are many other promises that have been kept, and we have a reputation for promises made, promises kept.

I bring to your attention Mr Robert Service, a Canadian poet, who once said that a promise made is a debt unpaid. It doesn't matter how you look at deficits, adding to a debt each year. Debt is a deferred tax. I feel sorry for our young people who are coming into the workforce today. If you divide up the federal debt, each person in this country owes something like \$20,000—\$20,000 for every man, woman and child in Canada,

\$20,000 in federal debt for every Ontarian. From the province it's somewhere in the neighbourhood of \$10,000, and, as a guesstimate, with crown corporations and municipal debt, there's probably another \$5,000. That's a total of \$35,000. So for a family of mom and dad and two children, that works out to a debt of about \$140,000 that family would owe. That's the kind of debt that's laid on this province. But a promise made is indeed a debt unpaid, and if a promise made is a debt unpaid, well then, that's why our government keeps its promises.

If you noticed the debate on Tuesday night between the presidential hopefuls, they were using this promises made, promises kept. It's the same phrase. The greatest form of flattery is to be quoted and imitated, and that's happening at the level of the presidential debates in the US.

Tougher penalties were first promised in our government's election platform, the Blueprint. With our platform, we were honest, the same in 1995 as in 1999. We were upfront, we were honest with voters as to what we planned to do. We laid it out for them, and we're now carrying it out, just the same as we did in the first term with what we laid out in the spring of 1995.

On September 21, this fall, the Minister of the Environment indicated his intention to introduce this bill, and subsequently it received first reading on October 10.

It's too bad that the federal government couldn't keep the same kind of promises. We have seen some horrible actions on the part of our federal government. They just didn't keep the promises they made. They promised to eliminate the GST. The only one who stood up was Sheila Copps. She said she'd resign if it wasn't eliminated. Pressure came and she did have to live up to that and run in a by-election, costing the country a fortune.

They promised to eliminate free trade. They've done nothing of the kind. Thank heavens they didn't eliminate free trade, with what it's doing for Canadians.

But they did go on to stop privatization of the Pearson airport. They cancelled the helicopter deal. Now they're getting much cheaper helicopters, but the total cost is just about the same, coming some 10 years later than the original deal. That's the kind of thing that the Liberals in this country are doing. But also, the federal government is too busy creating smokescreens to try to cover up the HRD atrocities and appoint non-elected people to cabinet, something that I think is very shameful.

They're too busy breaking promises that they made before. They're too busy cooking up an unnecessary election 18 months before it's really necessary. I just hope they get the same boot that the Peterson government got for bringing in an election way too early.

1610

I'm indeed appalled by what's going on in Ottawa right now. I find it very disappointing when politicians make promises that they don't keep. It disappoints me because the general public begins to take politicians and governments less seriously. I'm shocked when the federal Information Commissioner, John Reid, says in his report that the Chrétien government "is the most secret-

ive"—well, it's not that surprising that they'd be that secretive, being a Liberal government—"in history." He went on to say, "Hostility in this government against the public's right to know is stronger than ever before." This is a Liberal government.

However, I'm proud to say that here in Ontario this government has been playing it straight with the voters of this province. We keep our promises. It's our government that's been standing up for the environment. We kept our promises to do so.

We're challenging the federal government to take part in this and provide cleaner air for our environment. If they can find time between naming mountains and then unnamings them, maybe they could name it Mount Boondoggle after the HRDC disaster.

We've called on Ottawa to commit to tough national standards for all regions, not just within our borders, but internationally as well. Certainly, when there's air pollution, it doesn't just happen in our neighbourhood and our community and downtown Toronto. That spreads throughout the world, goes international and has an effect on every man, woman and child around the earth.

Following a recent meeting between our Minister of the Environment and the federal government, the minister left very disappointed as the feds refused to introduce national standards for landfill, electricity and vehicle emissions. They will not commit to a comprehensive plan to get tough on air pollution here and abroad.

I can go on. They're about to call an election. They have on the order paper an Endangered Species Act. They brought it in pre-1997. It's obvious they have absolutely no intention of passing it. What a disappointment Anderson has been as a Minister of the Environment. He was coming in a great, wonderful saviour for the environment. He's just steadily gone downhill since he got there. Other things are going to die on the order paper. There are amendments to the Criminal Code. I was hoping that just maybe something would come in on that particular one.

Despite these disappointments with our federal government, I am pleased today with the bill that we're bringing forward and that we're debating here. Our government's keeping a promise. Along with this bill—a lot goes hand in hand with it—there's the SWAT team that is being introduced. That was another commitment that was made in the Blueprint. It was again made back in the throne speech in October.

This SWAT team is going to be there to back up and give reinforcement to the inspectors and the investigators that we already have. They're going to enforce the tougher penalties that this particular bill will be introducing, penalties that I think are going to be a significant deterrent to those who may consider polluting our environment. This team is going to be very aggressive and they're going to pursue companies. They're not there to hassle companies that are doing a good job, but there to look after the companies that threaten public health and threaten our environment.

Mr Speaker, I can assure you and I can assure the companies out there that are doing a good job and individuals out there who are doing a good job with our environment, they have nothing to worry about. The SWAT team does not have them on their radar screen, but rather it's the bad actors that they will zero in on. This will help to level the playing field for corporations that are doing a good job.

There's no question, it does cost money in most instances to improve the environmental record and prevent pollution. On some occasions, they recover a product that they're able to sell, but often, it does cost more money. But having this SWAT team go out and go after the bad actors, the end result will be that the playing field for business in the province of Ontario will indeed be more level. Certainly, this team will be complementing the staff that we already have focusing on those bad actors. I don't think there's any question that the environment's going to be much, much better because of it. There's no question that existing ministry staff will continue to handle most of the enforcement needs of this province.

Existing district staff will continue to do baseline inspections and respond to pollution reports. Existing staff at present respond to more than 22,000 notifications of spills and potential pollution reports, assist with more than 16,000 certificates of approval, permits and licences that the ministry issues annually, and complete about 4,000 inspections on an annual basis.

This is the kind of thing that's been going on in this province in spite of what the naysayers are saying across this House. A more aggressive, targeted team approach is required if we want to better address some of the special problems in a more strategic way. There's no question, the SWAT team will certainly be targeting certain goals and objectives that are creating a greater concern for water quality, air issues and hazardous waste management.

The SWAT team will have very, very highly qualified people who know what's going on when they go into areas and do their investigations. I think it's interesting that this SWAT team will indeed be very mobile and within just a matter of hours can be on location in literally any point or region in this great province of Ontario.

My hat is off to my colleagues for designing and coming up with the innovative approach of the SWAT team. It was certainly something that was discussed by my colleagues and I in the last term. It's innovative and it's going to have all the technological support, the state-of-the-art communications to ensure that this in fact does happen. Certainly it's going to increase the odds of ensuring that polluters in our province do not end up polluting in the future, and it's going to be a very significant deterrent to those polluters.

We made a promise to take strong steps to protect Ontario's environment and to get tough on polluters. We're doing that, both through this bill as well as through the SWAT team. Nobody, and I stress nobody, has a right to pollute, nor should they. But we need stiffer

penalties in place to get tough and to send a strong message to the guilty culprits. They will get the message from this bill.

That is why this bill was introduced. We're keeping our promise, a promise made in the Blueprint, a promise made in the throne speech in October 1999.

The Acting Speaker (Mr Michael A. Brown): Questions and comments?

Ms Caroline Di Cocco (Sarnia-Lambton): I am glad to join this debate. The member for Northumberland spoke about the fact that there are a lot of promises made. I agree that there have been a lot of promises made. Unfortunately, the promises have not been kept, and I can attest to that.

I remember last year, when the former Minister of the Environment, Minister Clement, spoke to me and said that they had brought in all these tough regulations regarding the dumping and the landfills that are taking in toxic hazardous waste. Well, I'm still waiting for the changes. The promises were made that we were going to have the toughest regulation when it comes to the disposal of toxic hazardous waste. "The toughest in North America": that's what he told me, and yet we've got the largest toxic landfill, in Sarnia-Lambton, that's doing business as usual. As one person in Detroit said, if they were to treat toxic waste in the way we're treating it in Ontario, they'd end up going to jail.

I have to say to the member for Northumberland, I have heard more rhetoric in this House. It's too bad it's all words and no action. Again, if we want to deal with environmental issues, we have to act on it. We cannot just spin this rhetoric. Unfortunately, that's what the Harris government is very good at, just spinning rhetoric.

I go back to the six-point plan that kept coming up all of last session and the session before. The six-point plan has gone nowhere. As a matter of fact, I called the ministry about it and they don't even know what it is, the current minister. So that's where we are when it comes to making promises: they're good at making promises, but they forget to keep them.

1620

Ms Churley: I believe it's the member for Northumberland who doesn't know what's in the bill, because if he'd read it he'd see that this bill repeals some of the toughest provisions in the existing laws. The present laws allow administrative penalties against a director or an officer of a corporation who has failed to take reasonable care to prevent the corporation from polluting the environment.

Fines have gone way down under this government. These guys are actually taking that provision out with this bill. Perhaps the member doesn't know as well that a Supreme Court decision recently made means that when big businesses get fined for an offence against the environment they can deduct the fine from their income tax. So when the member stands up and says, "Oh, they're going to be scared now, they're shaking in their boots because of these higher fines," couple those two things I just talked about with the fact that even under the

existing laws, fines have gone way down under this government. That is documented in their own papers. They're not even enforcing the existing laws.

The member talks about previous governments giving expansions to existing landfills without hearings. They've got a nerve to talk. Look at Lindsay-Ops, what they did there. Did you know that WMI, Waste Management Inc, with a bad environment record and civil law record in the US, has bought up huge landfills in Ontario and gotten massive expansions? Most people don't know about this: massive expansions without any public hearings, without any environment assessment hearings whatsoever, without any public input.

They talk about this. There's been one environmental assessment under this government after they changed the act, and that was for Adams mine. That's it; that's all this government has done.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I quite enjoyed the presentation by the member for Northumberland; he knows what he is talking about. Our member spent a number of years as parliamentary assistant to the Minister of the Environment and since last January we've been travelling Ontario, consulting with hundreds and hundreds of people on environmental and agricultural issues; more specifically issues around nutrient management planning with respect to intensive agriculture. We've also been meeting and co-chairing hearings with people concerned about groundwater.

The theme of Dr Galt's presentation was "promises made, promises kept." Very clearly we have gone far beyond those promises that were made during the last election. Our Blueprint document provided a very clear message to people in Ontario that we were going to be taking action with respect to environmental issues and were going to take action in the sense that we would be cracking down on polluters. We now, and will soon, have the toughest fines and jail terms in all of Canada, once this legislation is passed.

Fines and jail terms for major environment offences, whether related to air, water or soil—and I will point out, for example, taking a look at some of the other provinces in this great country of ours, corporations that are guilty of a subsequent offence will now be fined a maximum of \$10 million. Compare this to Saskatchewan or Nova Scotia, where the fine is \$1 million. Compare it to the Yukon or British Columbia; in those two provinces the fine is \$3 million for a corporation on a subsequent offence.

Mr Duncan: I want to address the member for Northumberland's comments, particularly in the context of his government's record on the environment. I remind you about Bill 76. That bill changed the Environmental Assessment Act. It tied the hands of the Environmental Assessment Board to adequately review major environmental protections, took away that ability. Bill 57 made changes to the Environmental Protection Act. It gave the minister sweeping powers to exempt any person, activity or thing from the Environmental Protection Act, gave the minister sweeping powers to off-load responsibility for

enforcing certain environmental standards on municipalities. In the context of Bill 107, it downloaded to the municipalities responsibility for 230 water and sewer plants that were owned at the time by the province. The government of the day refused to accept Liberal amendments to the bill that would have prohibited municipalities from privatizing those plants. They've enacted regulations exempting established gravel pit owners from needing permits to quarry on the Niagara Escarpment; that's a topic my colleague from St Catharines has addressed on many occasions.

Taken in that context, and taken in the context of cuts to the budget, taken in the context of fewer fines being enforced, this government has a disastrous record on the environment. The facts speak for themselves.

Dalton McGuinty and the Ontario Liberals, in the last election, promised a clean water act and a clean air act, which would have given meaningful environmental protection. They would have provided for many of the things that this government's not even addressing; for instance, the use of coal-burning plants in exchange for natural gas.

So I suggest to the member for Northumberland that our record, the record of Dalton McGuinty and the Ontario Liberals, is much cleaner and this bill does not go nearly as far as it should have to protect Ontario's environment.

The Acting Speaker: Response?

Mr Galt: I was particularly impressed with the response from the member for Haldimand-Norfolk-Brant. He really got the essence of my presentation. I can assure you that I also enjoyed co-chairing with him some three different task forces—two task forces and a committee—that we were involved with last winter and spring. He's just a fine member of this Legislature. He's doing an excellent job as parliamentary assistant for the Minister of the Environment at this point in time.

I heard the member for Sarnia-Lambton talking about polluters. I say to her, if you know of a polluter and you have some proof of it, have you reported it? If you haven't, then you are guilty of not following through. I'd ask, who's spinning the rhetoric? Maybe you are, and maybe it's time that you reported what you know. Give the Ministry of the Environment a little bit of help and get them moving along.

The member from Toronto-Danforth was talking about fines, wanting corrective action. It's all wonderful, but as we look at their record and what happened, yes, they levied a lot of fines, but they were uncollectible. Why trot around the country laying a whole bunch of fines, irritating people who are maybe trying to do a job? I don't know why they levied the fines, but they were uncollectible. Why bother, if they're uncollectible? That was the kind of record we took over from. It's more important to have corrective action than it is running around laying a bunch of fines. That's certainly what we've been about, having a look at the record.

Then I heard the member from Windsor-St Clair talking about Bill 76 and the Environmental Assessment

Act. When we were debating that, some people, like yourself and some of the NDP, were telling us, "Make it really complicated. Have lots of red tape," that that protects the environment. No. What will protect the environment is to decide what needs to be looked at in the Environmental Assessment Act, scope it and then follow through; don't reintroduce stuff near the end.

The Acting Speaker: Further debate?

Mr Bradley: Thank you very much for the opportunity to address the legislation, Bill 124, that is before us this afternoon. I hope to address a number of environmental issues which are related to this bill and some of the specifics of the bill itself. I'm going to try to do so, as I think I try to do it as often as possible, though it's difficult when we're all elected with a political affiliation, in as non-partisan a way as possible. I recognize the difficulty of that. But I want to make some observations as somebody who had, first of all, the distinct privilege of being the Minister of the Environment of Ontario for five years, three months and four days, to be exact; and what a privilege and honour that is, to have that opportunity to be the Minister of the Environment and to be able to effect considerable change and to modify the operation of the ministry in what I hope was a positive way. I want to recommend to the government ways in which I think that kind of morale can be returned.

1630

One of the things I would say about penalties is that you can have the toughest penalties in the universe if you wish, not just in Canada or in North America or the world or wherever it happens to be, but in the entire universe. The key to it is whether you're prepared to enforce those penalties, whether you're prepared to take the tough action which is necessary to, first of all, conduct an extensive investigation and then to be able to carry out a prosecution that is successful, and to have the will to do so.

The previous member who spoke, in the latter part of his response, really captured what I believe this government is about. The criticism has always been of other governments, previous governments to this, taking a punitive approach, that they were not as willing to work with the polluters or work with the polluting companies to try to correct the action. That's true. I believe that very tough laws and very tough and fair prosecution are absolutely essential to protect not only the people of this province as a whole—because it's important to protect the people who reside in this province, their health and their safety—but also to protect many of the companies out there who have spent millions of dollars on training their employees, putting in catchment systems or abatement systems, as they're called in the environment or, better yet, changing their processes so they do not produce a contaminant in the first place. It is incumbent upon those of us who are in government to provide the necessary protection to those people who have done all that, who comply with the environmental laws of this province, against unfair competition from those who simply do not do so.

One of the things you notice immediately is in terms of enforcement. When I look on paper at most of this legislation, particularly where I see increases in penalties—I'm supportive of increases in penalties. I've said that to the minister and I've said that to others. There are segments of the bill with which I find myself, as I say, in complete agreement. There are some aspects of the bill that appear to be weakening the present regime, and we want to analyze those carefully to make sure that we don't see a weakening of some aspects of the enforcement activity of the government as a result of change in the legislation. I hope the government will amend its legislation to correct those particular problems.

My colleague from Toronto-Danforth has mentioned something that is quite interesting, and that is, of course, that Supreme Court ruling not long ago which allows polluting companies who have been fined to write those fines off against their corporate income taxes. That means, as we all know, that if they are not paying as much in tax, somebody else has to pay that. In effect, the people of this province pay for the fines—partially at least—incurred by those companies who have been in violation of the law.

The member suggested a remedy in her speech yesterday, in an amendment that could be effected through a bill in this House, which would allow—and she has the bill with her today—that to be eliminated. That would be a move I would certainly be prepared to support. I hope all members of the House would be prepared to support that. Why would we want people to be able to write off their fines as a cost of doing business when polluting and the penalties for polluting should not be a cost of doing business?

One of the things I look at as well, when you're into enforcement, is the morale in the Ministry of the Environment. As I said, when I had the privilege of being minister I remember the enthusiasm that people in that ministry had for their jobs, particularly when it was pointed out to them early in the mandate of the Peterson government that they would have a lot of power, that they would have the necessary resources, the budget increase to be such that they would be able to carry out their responsibilities and their duties in a very enthusiastic way.

Also, they were not told to be business-friendly, as the new government told Ministry of the Environment people around various regional offices and throughout the ministry to be business-friendly. I know how that translates. That translates as, "Turn the eye the other way when there is a violation, or go easy on the polluters." I'm told today many of the polluters walk in with smirks on their faces to Ministry of the Environment officials, knowing that they're not going to have the necessary backing from the government to enforce the laws.

Perhaps that will change since Walkerton. I suspect since Walkerton we've probably seen more enforcement activity from this government because the public is demanding it, because there is a focus of attention here in this Legislature and certainly in the news media on

enforcement activities. So I suspect—I would hope—that the latest figures would reflect that, that there would be some increases.

I guess we all wish there wasn't a need for any prosecution to take place, but there is because there are always going to be violators out there, always people who are trying to cut corners. Some of them have been encouraged by what they were told by Conservative candidates across the province, that, "We're going to get the Ministry of the Environment out of your face. You know, those inspectors you hated. You know, the investigations and enforcement branch that you used to refer to as the Gestapo." That's a very strong term they used, but I used to listen to some people who would refer to them as that because of the way they had dealt with polluters.

When you start to take away that power, when you start to make people understand they don't have that kind of power, then they're much more reluctant to prosecute, to gather the kind of information that's necessary and to proceed with a complicated court procedure.

I look at the morale of the ministry and my reflection is that the morale is down considerably. First of all, when you cut at least one third of the staff of the ministry, 33%, fire them out the door, that means there's a diminished number of people to carry out the activities and responsibilities that are always there because it's a labour-intensive ministry.

Second, you cut the budget by, people have said, as much as 60%, if you want to count capital and so on. I know that it is at least 40%, probably more, that the budget of the Ministry of the Environment was cut. I looked at the last provincial budget and the only cut I can remember in any ministry was the Ministry of the Environment. That was disconcerting. I recognize that was before Walkerton happened, but it gave a clear indication of where the priorities of this government were to be found.

If you want to be successful in operating a ministry, you have to have a lot of enthusiasm there. You have to have people who know they are appreciated. What I recall from my days in the ministry is how many dedicated public servants there are out there who are in the Ministry of the Environment and various parts of the Ministry of the Environment: scientists, technicians, clerical people, the people who are involved directly in prosecutions as lawyers, those who are involved in the technical aspect of things, inspectors, the very elite investigation and enforcement branch.

The investigation and enforcement branch wasn't there to be nice to people. It was there to investigate and, where necessary, to prosecute. They were independent of other branches of the government. It's absolutely essential that they be independent, for instance, of the abatement branch, because abatement has a different role, though one does complement another. Abatement has a role of trying to assist potential polluters or polluters to come into compliance with government regulation and legislation and policy and control orders and so on,

whereas the investigation and enforcement branch doesn't have that role. I've seen a diminishing of that activity. I've seen offices across the province either closed down or with very people to carry out the responsibility. Some of it has been fobbed off on municipalities, who themselves don't have the resources to be able to enforce environmental laws.

So I see a different kind of morale in the Ministry of the Environment, and I find that most unfortunate, because I still see those people across the province and I compliment them when I see for the job they are continuing to do under difficult circumstances. They are certainly loyal to the ministry today. I don't expect that they are going to be out there publicly denouncing the government in power. They are civil servants and a role of the civil servant—and I think that's been a feature of this province I'm happy about over the years—has been to be loyal to the people of Ontario, whichever government happened to be in power, that they would carry out their responsibilities as efficiently and as well as they can and they continue to do. I'm very encouraged when I speak to people from the Ministry of the Environment who recall some of the old days when indeed they had the elbow room, when they had the kind of clout in government that was necessary, when they had the financial resources, when they had the staff to carry out their job as they should and didn't have to be told every time an MPP called their office that they had to call the Toronto office, and take three days to be able to provide an answer to somebody.

1640

I know the argument the government makes, the mantra. My good friend from London and I were on a television show the other day and he used the mantra that the right wing uses today, that this government uses, and he would be proud of it. I'm not saying anything that would offend him because he is a right winger and he doesn't pretend to be anything else. They always say, "We have a new way of doing things." Well, the new way isn't always as good as the old way. Sometimes it is; sometimes it isn't. In the case of the Ministry of the Environment, with the huge cuts to staff, with the huge cuts to the budget, and with the taking away of the clout that it had, I think it has diminished that ministry considerably.

There may be other instances that he and I would agree on, where there have been changes that are positive. I don't say all change is not positive. But I think the kind of changes made in the ministry increase the risk of something like Walkerton happening. Do I say that the Premier deliberately did this to cause a problem? I'm not so unfair as to say that. But I think the Premier and his staff, and whoever advises the Premier, certainly considerably increased the risk of Walkerton and other unfortunate incidents happening by diminishing the resources available to the ministry and the staff available to the ministry.

The member, when he speaks later on, will no doubt try to contradict me, and that's the essence of debate. I

don't mind that. He and I had a good discussion on that program. He defended the government position. We did not make personal arguments back and forth. I thought we stated our cases and the people of the province can then make their judgment, and that's as it should be. I think he enjoyed the program as much as I did on that particular afternoon.

Let me mention another attitude I saw in the government that really shows up with the anti-environment crowd. My friend Mr O'Toole, the member for Durham, got up the other day and started reading a piece from the *Ottawa Citizen*. The *Ottawa Citizen*, if it were ever left wing, could never be accused of being left wing today. In fact, the Minister of Community and Social Services has some good friends who write columns and so on at the *Ottawa Citizen* who are even right of his philosophy, if that's possible.

What Mr O'Toole got up and said was, "Here are the 10 fallacies about global warming." That's exactly what the Bush crowd in the United States—if I can just deviate a bit from this. I don't like doing that in a debate. But that's what the crowd in the United States who don't like environmentalists and who don't want to take tough action on the environment say. Every vice-president in charge of environmental control of a company that didn't want to do anything always said, "You don't have the science to prove that the dioxin we're putting in the water is actually killing people." That's most unfortunate.

I listen to Dr David Suzuki, a geneticist, and I think a highly respected individual. He's certainly familiar with the issues. In fact, he's speaking in Walkerton tonight, I believe, at 8 pm, for the people of Walkerton. I happened to hear him up north of Toronto when he was speaking to a group who wanted to save the Oak Ridges moraine in its present state, who wanted to preserve what was there. Dr Suzuki said that you keep running into the anti-environment crowd out there. A lot of them are funded by business, a lot of them are funded by polluters. I'm not talking about progressive businesspeople, because there are some of those around who are concerned about the environment. I'm talking about the ones who aren't, and they fund this. It's the Fraser Institute crowd and so on that will constantly say, "All these environmental problems are not really environmental problems." But as Dr David Suzuki said, they are indeed problems. Virtually every scientist in the world got together and signed a document saying that global warming was a genuine problem and had to be addressed.

By the way, Dr Suzuki is addressing a conference that I'm going to be at this weekend in East Lansing, Michigan, at Michigan Tech, which brings together environmental journalists from across Canada and the United States. I'm looking forward to hearing Dr Suzuki on Friday night at that particular gathering.

I wanted to point out, when I heard that, that it was similar to what I heard the member for Northumberland say. "You people in the opposition always want to prosecute people and take a tough line with them." Yes, you have to do that. I wish that weren't the case. How-

ever, I have seen people in the business field who have been willing to comply, who have actually changed, companies that have actually changed over the years.

Let me go into the manner in which you have to deal with these problems. I heard it mentioned, for instance, that there was a confrontation between the federal government and the Ontario government—certainly not the nine other provinces—over an air quality agreement that was to be signed between the provinces and the federal government.

Our government walked away. Our government has consistently been dragging its feet on this, again with the same old arguments: the science doesn't prove it and we want to do this and we want to do that. I find that most unfortunate because I can remember when Ontario led at those conferences, when Ontario was the most aggressive in its actions and, from time to time, we had to bring the then federal government along. I'm not getting into partisanship as to what political stripe it was or anything because I don't think that's particularly productive. They would have had people in that government that were, I'm sure, committed to the environment.

But it's most unfortunate that it has happened. Again, what we have is a circumstance of a minister standing up in the House and saying that somebody else isn't doing it. Alberta isn't doing it, the state of Alabama isn't doing it, so therefore, why should Ontario clean up its air? Ontario should clean up its sources because they impact upon the people of Ontario. That also sets a good example for those in the United States to follow.

I remember the incident dealing with the Countdown Acid Rain program—you, as a northerner, Mr Speaker, would remember this—where we took the four major polluters in Ontario in 1985 and said to them we will require, through a non-appealable regulation—no loopholes—that indeed you must be in compliance with this and you must cut by two thirds the sulphur dioxide emissions. There was some resistance to that initially, but that resistance evaporated when they saw that the government meant business. It wasn't a government that was going to allow the polluters to write the ticket, to write regulations. It was going to be a different kind of government.

I can recall one person phoning me from a major company who had never been accosted, obviously, by people who were very, very aggressive about the emissions from that major company and saying, "Who were those young, aggressive environmentalists in the Polo shirts who were so impertinent?" or words to that effect. That's because we had met with this company and said that we meant business.

I looked at the four sources. Inco was the largest source in Sudbury, Falconbridge in Sudbury, the sintering plant in Wawa, and Ontario Hydro. We put the regulations on them and at the completion of that program, sulphur dioxide emissions were cut by two thirds.

That enhanced our position with the United States. We could have said to the United States, "You have to cut everything first and then we'll cut." No. We said we're

going to cut because that impacts on our own people and it impacts on adjacent jurisdictions, too. But that impacts on people on Ontario. We're going to do it because it's right and we mean business.

I know, initially, there was some opposition. The companies said, "First of all, we don't have the money. Second of all, we don't have the science. Third, we don't have the technology. We don't believe we can possibly meet these requirements." They were required to report progress, I believe it was every six months. I remember a vice-president, now deceased, of Inco, who said to me that was a good provision to put in there—a report of progress every six months—so they couldn't come back and say, "We can't do it." At the end of the three-year development stage for the program, Inco called a press conference and said at least half a billion dollars would be spent on complying with that regulation. I thought that was exceedingly important for them to do so.

They saw that the government meant business, they weren't going to back down. They saw the penalties that were there and they themselves decided it would be good for their own business. In fact, it enhanced their business by making it much more efficient, while it produced two thirds less sulphur dioxide.

I do not apologize, then, for being a proponent of a prosecution-and-investigation approach, a tough approach, with polluters, as opposed to working with them. I remember my good friend, Andy Brandt, when he was the opposition critic—this was before my friend Margaret Marland, who is a very formidable critic on the other side of the House. I enjoyed jousting with her in the House on many occasions and liked some of the recommendations she brought forward. In fact, I accepted some of them and implemented some of them because I thought they made sense. Just as I know she supports my view that the Lakeview generating station should be converted to natural gas, and I'm going to help her out with that, she was very helpful. I want to say, on many occasions where she offered some, yes, criticism—we expect that, that's what the opposition does—but she also offered some constructive advice and suggestions, which we implemented, and I hope this government will do the same.

1650

I look at the Ontario Medical Association. I know some on the other side are suspicious of environment groups, even though a lot of them are very moderate these days, I can assure you, compared to what they once were. The Ontario Medical Association is hardly a raving mad organization. They made a presentation I attended not long ago here in Toronto where they pointed out that there are 1,900 premature deaths as a result of air pollution in Ontario, smog in Ontario, and they had a recommendation.

They also talked about the cost of that financially, because they know that this government understands the cost of everything and the value of virtually nothing, so cost is something you have to place before this government. They did a very detailed analysis and they said there's billion dollars a year in additional costs as a result

of air pollution. What they talked about was the impact on the health care system, the number of people who lost days in business, for instance, at work, and just the general effect. There were far greater costs than that when they looked at total costs. I thought, it's the Ontario Medical Association. They are people who deal with health problems on an ongoing basis, and when they were strongly recommending that government take pretty drastic action, I thought we were on pretty good ground, those of us in the opposition who are asking for the same thing.

I happen to believe that instead of letting Bill Farlinger write the statements for the government, or whoever does it there, we should have the coal-fired plants converted to gas. Natural gas is more benign. It's not completely benign but much more benign than coal-fired plants. I'm concerned about the people of Mississauga, as my colleague from Mississauga South I know is, and the people from Etobicoke. Morley Kells is another person who has a riding that's impacted, and Morley, I'm sure, would be—I'm not speaking out of turn—supportive of ensuring that the Lakeview generating station be converted to gas.

Remember as well that with coal-fired plants it's not simply the NO_x, as they call it, alone that's the problem; it's also 30 other contaminants that are out there. There's mercury, there's arsenic, there are all kinds of contaminants that come out of a coal-fired plant. Of course there's sulphur dioxide that comes out of a coal-fired plant. The best solution is not a half solution. Today I think the best solution, people recognize, is conversion to natural gas for those plants.

Those are largely peaking plants, but with the problems that have been encountered with nuclear generating stations, they have become more than peaking plants. I'm concerned about a figure the Premier used, or a new terminology the government is using that I think people should be very wary of, and that terminology is looking at the pollutants per kilowatt hour, because by doing that there's no cap. You simply say, "Well, per kilowatt hour we have fewer pollutants," but if you stoke up the furnaces, if you have those coal-fired plants going at something near capacity, you're really producing a lot of pollution. No matter what it is per kilowatt hour, it's the total amount impacting on people in the province. So I think a tough line has to be taken with them.

I was worried about the Red Tape Commission. My friend from London is here and he's a member of the Red Tape Commission. The reason I am is not when you're taking away one of the regulations that was silly and had nothing productive. I'm concerned because I know there are people out there who saw certain environmental regulations as not being useful, and I thought, by and large, most of them were. I know his colleague, who I think is reappointed as co-chair, my good friend Frank Sheehan—I saw Frank at the John Turner night the other night. This is the Liberal John Turner, not the Conservative John Turner. The other night he was out and many people were questioning why he was there.

There was not a conversion on that evening, but he was there.

Hon Margaret Marland (Minister without Portfolio [Children]): Where was it?

Mr Bradley: This was at Brock University. It was the Wilmot series of guest speakers and John Turner, former Prime Minister, was a guest speaker. Frank Sheehan was there, and I said to Frank—I always refer to him as my good friend Frank Sheehan, even though I may not always speak in a complimentary fashion about a specific stand he is taking. I can recall when, in the middle of a court case that was going on, he wrote a letter to the Ministry of the Environment saying, “You shouldn’t proceed with this case, because we’re going to change it anyway. The Red Tape Commission is going to make sure this is gone anyway.” That’s what I worry about when I see the Red Tape Commission in there.

I don’t disagree with some things the Red Tape Commission does. I thought it ironic that they were re-appointing the Red Tape Commission the very day the story in Walkerton broke. I’ve always had a great concern that a number of the regulations that would be removed would please polluters out there but wouldn’t necessarily please the people of this province.

I look at the regulations governing toxic waste. My colleague from Sarnia-Lambton talked about the fact that the former minister, Mr Clement, announced with a lot of fanfare in Hamilton—I was in attendance at it, watching at the back of the room as the bulbs were popping and the cameras were whirring—some new regulations to do with toxic waste. It sounded as though those regulations would be in effect the next week. Well, they weren’t the next week, they weren’t the week after, they weren’t the week after that and they weren’t the month after. In fact, it’s been a long period of time that we haven’t seen those, and we haven’t seen them yet. The member for Sarnia-Lambton considers these particularly important, and I can certainly understand why.

When we get into enforcement, first of all there appears to have been a change. Norm Sterling—we’re not supposed to use names, but Norm is a long-time friend of mine and a member for the Ottawa area. He represents a large riding. I know he’s probably with his constituents at this very moment. He is the person who brought in a bill, I think it was in 1998, that dealt with directors, and it was an important piece of legislation.

The existing law—the one Norm Sterling brought in—allowed administrative penalties against a director or an officer of a corporation who failed to take all reasonable care to prevent the corporation from polluting the environment. People are wondering why that provision appears to have been taken out of this bill, because that’s an important provision. I can well remember my colleagues, one of whom is sitting with me today, and was then the Honourable Gerry Phillips—we passed a bill. I don’t think he was a colleague at the time, but he was about to be. We passed a bill, and the headline in the *Globe and Mail* said, “Under Sweeping New Penalties Legislation Corporation Presidents”—that part was all

right—“and Cabinet Ministers May Go to Jail for,” and it went on. Some of my colleagues in cabinet the next week were not amused, to put it kindly, when they read that was the case. What had happened was that we had taken out a provision that said, “This act does not apply to the crown,” in other words, does not apply to the government.

I’m worried by that provision. I ask the Minister of Labour, who I know would share my concern, to speak to the powers that be—Guy Giorno is the power that is. I would like him to speak to Guy and point that out.

Hon Chris Stockwell (Minister of Labour): Guy.

Mr Bradley: Is it “Guy” Giorno, you’re saying? “Guy” Giorno, says the Minister of Labour.

I worry about that, so I ask him to look into that. That I think, if I remember correctly, was one of the reasons the New Democratic Party was not going to vote for this bill. I think I heard the members say that. Despite that, I think some of the other provisions of the bill militate in favour of voting for it, but I’m very concerned about that aspect of it and I hope the government will make that change.

There seemed to be some reference to some consultation on it. If it was good enough for Norm Sterling in 1998, I think it would be good enough for Dan Newman now. But we all know it’s not the minister; it’s the powers that be within the government. “Guy” Giorno, as the Minister of Labour keeps telling me, is the real power.

I have to go to water again. I hope this is good Toronto water.

Interjection.

1700

Mr Bradley: My good friend the member for Mississauga South tells me she remembers the water containers we had in this building. Everybody thought it was special water from a special stream, and of course the special stream was the garden hose, as she points out.

I like to think that municipalities of this size do have the wherewithal to deal with their water. The member for Etobicoke Centre, Chris Stockwell, was on council and I know he found it an important component of his work to ensure that there was good water available for the people of Toronto. Although I can’t recall this specifically, I like to think that he would be a strong environmentalist when he was on city council, and one who listened to the advice and counsel of environmentalists.

There’s a rather interesting document that was put out by the Sierra Legal Defence Fund called *Who’s Watching Our Waters?* The reason this document is important is that it’s a report on who’s polluting and the government that’s permitting it. Bruce Livesey, a writer, also wrote a good article on this.

First of all, I should tell members of the Legislature that this had to be obtained through the freedom of information act. In other words, the average citizen thinks that if they want to get information on who’s polluting Ontario’s waters, they would simply call the Ministry of the Environment and someone would provide that in-

formation in a timely fashion. Don't expect it immediately, but in a timely fashion. The Sierra Legal Defence Fund or any citizen who wants to get this information about who's polluting Ontario's waters has to first of all pay a significant fee and then wait a long period of time and then accept only the information that the ministry says it will provide.

It said there are about 3,500 companies that are out of compliance with the laws of the province of Ontario, and that in fact there has only been one conviction against those companies. That's a pretty remarkable record. That's why I worry when I see the government bring in a piece of legislation that has increased penalties, but the government has really not prosecuted in those particular cases. That's pretty important.

Interjection.

Mr Bradley: The Minister of Labour, from time to time—and I want to give him his credit; I know he'll use it in his brochure. To do with some substances within the workplace, the minister made some significant changes, perhaps not as much as some would like, but they were significant changes nevertheless. That's the kind of approach I'd like to see the Ministry of the Environment take in this regard.

I wanted to talk about those waters, but I want to, first of all, look at the Investigative Report of the Walkerton Outbreak of Waterborne Gastroenteritis. This is where Dr Murray McQuigge, medical officer of health, made a presentation. I was there a week ago Tuesday when he made this presentation, and I must say that Dr McQuigge was just outstanding. This is an individual who, I'm prepared to make a judgment, was the real hero, the genuine hero, in the Walkerton situation.

Dr McQuigge has not spoken at the inquiry yet, but others have already pointed out the absolute chaos the government caused by going through a situation where they changed from the government's labs to labs that are not government labs. In other words, they shut down the Ministry of the Environment laboratories that used to do the testing for various municipalities.

I guess we can argue about whether it's useful to have government doing this or not. I happen to think it is good to have those government laboratories available.

Mr Gerry Phillips (Scarborough-Agincourt): Arm's length.

Mr Bradley: As long as they're arm's length, but they report it. I'm convinced, to this day, I can tell you, that had the Ministry of the Environment labs been analyzing that water from Walkerton, there would have been notification immediately to the people of Walkerton and the medical officer of health that there was a problem. We would not have had the mix-up.

The mix-up resulted because there was no protocol. It was done in a couple of weeks. They gave the announcement to the municipalities—no consultation, no rules put in place that were enforceable. As a result we have, in this case, seven people who unfortunately died in Walkerton. I'm not one who says that the Premier has blood on his hands. I don't like that kind of talk myself.

I've heard people use that; I don't like it. I prefer to say that when you do that, when you act like a bull in a china shop when you're making change, what happens instead is that you increase measurably the risk to people.

I was thinking of the \$200 that's coming to households—not all households, because some people at the very low income end are not getting it, some disabled people are not getting it. I would have preferred the \$200 to go to protect our drinking water system in this province and to the enforcement that could take place for that purpose.

I looked at the Environmental Commissioner's report, which I quoted somewhat earlier. The Environmental Commissioner is obviously concerned. Let me put this in context. We're not talking about an enemy of this government. We're talking about an individual, Gordon Miller, who on two occasions was a Progressive Conservative candidate for the Harris government. We're talking about an individual—I'm going to compliment him in a moment—who was the president of the Progressive Conservative association federally in Nipissing.

I must say that I was very suspicious that he would be unable to show the independence that was necessary. Nevertheless, here is a person who, with that background, has said the following about your government. He talked about intensive farming as a problem, but I found particularly interesting what he had to say about the government's attitude toward water taking in this province. He said something I can't say in this House normally. I guess I can quote, but I can't say. No, it doesn't accuse any members, so I could probably do it.

He said, "There will be several negative consequences if ministries fail to develop a groundwater strategy. These include a growing number of conflicts over groundwater throughout rural Ontario and in urban areas that rely on groundwater for municipal and industrial purposes. There is a significant risk that many water-taking permits will be granted and land use planning decisions will be made without adequate knowledge of the groundwater availability. Furthermore, decisions about groundwater will not be made in a transparent and publicly accountable manner, contrary to the goals of the Environmental Bill of Rights."

My colleague Mrs Dombrowsky this morning tried to have a bill passed in this Legislature—in fact, it was passed and buried in the abyss of the committee of the whole. What it in essence said was that the Ministry of the Environment should notify conservation authorities and municipalities about water-taking permits. That was a very simple, straightforward bill. She didn't try to make it complicated. She didn't put all kinds of bells and whistles which would allow the government to have a reason to defeat it, and yet what happened was the government of course said "aye" and then said "nay" when she wanted it to go to a committee where it could proceed further. That's most unfortunate when that takes place, and certainly contrary to what I know the Environmental Commissioner would think.

He also went on to say that there was a situation that had arisen as follows: "Moreover, the quality of ground-

water is as important as the quantity." He's talking there about the water-taking permits. "Sensitive aquifers and groundwater recharge areas need to be identified and protected." Our Liberal research caucus got a document from freedom of information and looked for an action plan on it, but the several categories under "action plan" were blank. In other words, very little has been done, despite the Environmental Commissioner and the Provincial Auditor both calling for action.

Gordon Miller goes on in his July 27, 2000, report to say, "Yet the Ministry of the Environment, which clearly has the legislative mandate to protect our groundwater under the Ontario Water Resources Act, seems unwilling or unable to act decisively. The ministry continues to approve permits for potentially massive takings of groundwater without adequate technical analysis. At best, this may result in an inappropriate private allocation of a public resource. At worst, it may threaten the sustainability of the water supply of hundreds of people drawing on the same aquifer.

1710

"In addition"—this is where he was quite condemning—"on at least two occasions the Ministry of the Environment has appeared to deliberately mislead the public by announcing management measures that were not carried out. Such actions are entirely contrary to the ministry's statement of environmental values and to the purposes of the Environmental Bill of Rights." That's the Environmental Commissioner, Gordon Miller, saying that.

We wouldn't even be allowed to say that in the House about another member. He said it about the ministry, that they were misleading. I could not say that a minister was misleading in the House because that would be contrary to the rules. But he said it about a ministry. That just shows how strong the language is.

He says, "The document I'm releasing today is a call for leadership by the Ministry of the Environment on a comprehensive groundwater strategy for Ontario. It is a call for open and transparent consultation with the people of Ontario. It is essential that this valuable resource be managed sustainably and it's essential that the public have confidence on how decisions are being made about managing our groundwater. That is not presently the case."

You can see why I'm concerned. Despite the fact that this bill talks about increased penalties, I'm not convinced that this government is going to proceed with those particular penalties.

Bruce Livesey, writing in a local magazine in Toronto, had some rather interesting things about the enforcement activities of this government. This is Eye magazine in Toronto, which is a local publication.

He says, "Is Ontario's Ministry of Environment handing out 'licences to pollute' to corporations? Elaine MacDonald believes so. She's a scientific investigator with the Toronto office of the Sierra Legal Defence Fund, an environmental group. In recent months, MacDonald has been investigating the MOE's practice of

issuing something called 'program approvals' to companies.

"Program approvals are given to corporations that are not in compliance with things like waste water regulations, with the purpose of encouraging them to gradually meet the legal standards. While a program approval is in place, a company can't be prosecuted for polluting. Program approvals are a way for the MOE to show it's willing to give companies more time to clean up their act."

Macdonald goes on to talk about one company, "Chinook Group Ltd, a Toronto-based chemical company with a plant that's been under a program approval since early 1998. Chinook has the highest rate of non-compliance waste water discharge violations in Ontario, with 630 in 1998 and 561 last year. Despite this alarming record, Chinook's program approval has been extended twice. Moreover, the internal MOE documents that Macdonald obtained show:

"When environment ministry staff had misgivings about giving a program approval to Chinook, the company pressured the MOE by claiming that Chinook's image, insurance rates and plans for expansion would be jeopardized unless it received one.

"Having granted the program approval in 1998—after receiving assurances that Chinook was completing a waste water treatment plan—the MOE has since bent over backward to give extensions and even discussed making sure the company was protected from prosecution.

"Yet Chinook is far from being a good corporate citizen. Last year it was convicted and fined a combined \$10 million in both Canada and the US for its participation in an international vitamin cartel that gouged consumers and farmers by driving up the price of vitamins by as much as 50%." This is what Bruce Livesey is saying in his article.

It goes on to talk about how "Theresa McClenaghan, a lawyer at the Canadian Environmental Law Association, believes program approvals reflect the MOE's willingness to allow companies to escape their environmental obligations.... 'If you don't have the bodies to go out and enforce the regulations, they hold this carrot out to companies. The MOE would have you see it as a trade-off. But for the public, it's not a great trade-off.'"

"Ministry Collusion" is the next headline in Mr Livesey's article. He's talking about program approval. He says, "Yet the MOE doesn't have to offer program approvals. They can issue control orders instead, which make it an offence to ignore the order's conditions. Or they can simply lay charges. In contrast, program approvals carry no punishment if a company doesn't fulfill its promises to correct its polluting habits.

"In 1995, the Ontario government passed Clean Water Regulation 63/95, otherwise known as MISA, which set out guidelines for what pollutants companies can dump into waterways. The province gave businesses three years to comply with these standards before the regulations went into effect in ... 1998."

There are several concerns that have been expressed and I ask members of the House to look at Mr Bruce Livesey's article in *Eye* magazine. It looks like it was July 27, 2000, when this article was written. I think it's an excellent article. I think it deals with how serious this government is about its prosecutions.

I know there was another article that I looked at. By the way, that Sierra Legal Defence Fund—I want to go now, before I go to that, to one of your own documents. This document was leaked, and my good friend from Toronto-Danforth says every time “leaked to the NDP”—I know she's watching at this time—as though documents are only leaked to the NDP. We get a lot of documents, as opposition members, as well, but this was, I want to tell her, leaked to the NDP. But I have a copy of it so it's as good as all of us having one.

March 14, 2000, confidential cabinet document: ministers who are in the House would have been aware of this, no doubt. It talks about the so-called toughest penalties legislation and the environmental SWAT teams. But what's contained in the document is extremely interesting. Let me read from the government's own document.

It says, “There is a growing public perception that the government is not protecting air, water and land. Public surveys have consistently shown that the public equates the health of the environment with their own health. Based on an Angus Reid poll from August 1999, 60% of the Ontario public rates the government's performance for environmental protection as fairly poor or very poor.” Well, I agree with them, I must say. They didn't phone me but I would have agreed with them if they had phoned me. “Consequently, 60% agree that the Ontario government should take serious action against pollution.”

Now remember, I'm reading from a government document, a cabinet document of the Harris government. It goes on to say, “The inconsistency between public perception and demonstrating environmental improvements is partly the result of a perception that Ontario is not enforcing its environmental laws.” Well, I may tell you, I agree with that perception. “This perception is reinforced by the release of reports such as Environment Canada's National Pollutant Release Inventory and the NAFTA Commission for Environmental Co-operation's Taking Stock report, the latter which rates Ontario as the second worst polluting jurisdiction in North America.” I should say the worst was Texas, the home of Governor George Bush.

Now, here is a very interesting fact, and I know the Minister of Labour would certainly be interested in this. It says, “Less than 10% of sources of pollution in the province, those most likely to cause health or environmental problems, are inspected in any one year. The capacity for inspection investigation activities needs to be increased and the compliance and enforcement approach needs to be toughened so that the ministry can effectively and visibly deter those who chose to operate outside of the law and threaten public health and our air, land and water.”

Well, no wonder they saw that. The Harris government had annihilated the Ministry of the Environment. I might say the Ministry of Natural Resources and conservation authorities, which have a major role to play in the protection of ground water, their budgets have been fired way into the sky. Let's put it this way: 50% of the people fired out the door, budgets slashed drastically in the Ministry of Natural Resources and certainly, I can tell you, in conservation authorities.

The leaked ministry document goes on to say, “The ministry approach of working co-operatively with industry to develop workable solutions to reduce their pollutant releases has only been moderately successful. The existing low inspection rate referred to above allows numerous industries the opportunity to break the law.”

1720

I agree with that. That's exactly what was happening and the government had to find something to do. It said, “The ministry is currently drafting an administrative monetary penalty regulation which will form the basis of consultation in early spring 2000, followed with implementation soon after. In order to support the consultation and implementation of the”—administrative monetary penalty—“regulation, several legislative amendments are required.”

So you can see the government, the ministry, itself recognizes there are real problems, but let's see what they chose to do. It says in the document under “Commitment 2—Strong Enforcement through SWAT,” that, “Existing MOE inspectors and investigators are fully committed to their current work plan activities. Through these activities approximately 10% of current known sources of pollution are inspected annually.” I'll repeat that: 10%. “Taking staff away from these activities would result in slippages which would negate the positive impacts of the new program. Therefore new staffing will be required for this new program.”

It goes on to say, “The option of increasing the existing staff, using the existing structure and delivery approach, to get to a level where all sources of pollution are inspected annually would require in excess of 500 new staff.” Now, you can see that is what was really needed, and that's what we in the opposition have been saying. A hundred inspectors, another 400 people—I say you have to get back to the levels that were in existence when the government came into office.

It talks about, “Two options dealing with the visibility, impact and size of the team have been considered: a high impact (larger size) and a low impact (smaller size) option. Two delivery options have also been considered: a centralized model and a decentralized model.” There's the low impact team: approximately 55 staff. That would include maybe a 27% increase over the status quo. Next there would be the high impact staff recommended, of 138 new staff, 60 of whom would be inspectors.

Do you know what they decided upon? They chose a half-baked 65 new staff and those people were to be temporary, were on for 18 months. How many people do you think want to come to the ministry and work for only

18 months? If people thought the government was serious, it would have been permanent. I can tell you as well that the best approach is the day in, day out enforcement activities undertaken by our friends in the investigation and enforcement branch. Members of the Legislature, I'm losing my voice. I know that will break your heart.

Interjections.

Mr Bradley: Much to the cheering of the opposition, because they know what I'm saying is true. They're admitting that, and they know, the Minister of Labour knows, that when the Sierra Legal Defence Fund released a report that was obtained by paying money to the government and taking a long time under freedom of information, they found out this: "Water Pollution Offences up over 200% in two years: Based on information obtained under the freedom of information legislation, Sierra Legal Defence Fund has determined that the number of waste water pollution offences has increased from just over 1,000 in 1996 to 2,234 in 1997 and to well over 3,300 in 1998, representing an increase of 200% in two years.

"Industrial discharges are regulated under the Environmental Protection Act either by limits set under MISA regulations or certificates of approval." The problem is that there's no enforcement. It says in here that "70% of offending polluters are repeat offenders and 10% have been breaking the law for five years running." Sixteen facilities have violated Ontario's water pollution laws for five years. What has happened is, all these people are violating the laws of Ontario and nobody is prosecuting. So it's difficult to argue with—and I don't think reasonable people would—an increase in the penalties.

But this piece of legislation is simply show and not action: it's show in that it increases the penalties on paper; it sets out a so-called SWAT team. I noticed in the document on the SWAT team, they were talking about photo opportunities being extremely important. That's really what that was about. Let me just look and see if I can find it. I can't. But it said in the document itself—it was all about show, that they wanted to have photo opportunities, announce to the press, "We're going to have this big raid," and then have everybody follow them.

Let me tell you again: the day in, day out hard slogging of ministry staff—the investigations and enforcement branch, supported by the abatement branch, supported by the legal team, supported by scientists and technicians and clerical people—they are the people who carry out effective prosecutions in the province.

By telling your employees to be business-friendly, what you have done is made them back off, and you have emboldened polluters who now laugh at Ministry of the Environment officials on many occasions, and nod and wink, because they know they have the ear of the government.

I suspect, as I say, that since Walkerton we have seen more investigative and prosecutorial activities. I hope that is the case.

The reason that I would support this legislation is not because I believe this government intends to implement it or enforce it, but because I think that subsequent governments may be able to use those increased penalties to, first of all, prosecute those who are in violation of our environmental laws and, second, ensure that others are aware of those penalties, that those penalties will be enforced and they will be less inclined to try to violate our laws.

Many of the polluters who like the appeal of government members who said, "We're going to get the Ministry of the Environment out of your face," show up at the Conservative fundraisers. In fact, the member for Windsor-St Clair said that if you had gone to the Alliance fundraiser last night, you would have seen a lot of those polluters.

I'm not one who gets into the federal realm the way some do. I heard somebody talking about "federal Liberal." I did look at the Alliance platform. They had one paragraph I think on the environment, on environmental protection. But I'm not going to bother with that. I'm simply going to make this appeal to this government: pass this legislation, and make the necessary amendments to this legislation, which will again put the corporation presidents and directors of companies on the line for environmental improvement. In other words, when they are negligent, they will be prosecuted, not exempted; prosecuted as Norm Sterling wanted them to be, not exempted as Guy Giorno apparently wants them to be exempted.

What I appeal to with this government is that you begin to take a serious attitude toward prosecution. Playing footsie with the polluters will not work. Trying to work hand in hand with people who have no intention of coming into compliance will not work. Tough penalties with tough enforcement will improve the environment measurably in this province.

The Acting Speaker: Questions or comments?

Mr Marchese: I want to congratulate the member for St Catharines, who is a good man. I've got to tell you, there aren't too many Liberals I like. I have to say this; I'm being partisan. But Jim Bradley, I like.

He is a former Minister of the Environment who obviously showed a great deal of commitment to the environment then—and we continued with that work when we got into government. He did. He cannot be accused, in my view, in any way of not being one who defended the environment and not being concerned about making sure we protect the environment. That's why he's been very critical of you and worried about the kinds of things you have done, the kinds of things you will do and the kinds of things you're not likely to do.

He, quite properly, is worried, as I am, that bringing in higher fines is just not going to do it necessarily. If you really mean it, although there is no evidence for it, then Mr Bradley, the member for St Catharines, says your bill might have some teeth in it, but if you're just putting it there or introducing this bill for the sake of appearing to be tough, but in effect don't put the staff to go and

investigate and prosecute, then the law is meaningless. That's his point. It will be my point when I speak after this, and I will enlarge or at least make other comments in this regard.

Quite frankly, from the evidence I have seen in the last five years, I don't trust you guys. There's no reason to trust you, because the evidence shows you've not put the money into the environment. In fact, you've taken money out of the environment and gutted it so seriously, you can't manage it very effectively and, thus, have caused damage to the environment that causes damage to human beings.

1730

The Acting Speaker: Thank you.

Hon Mr Stockwell: I'll tell you, Jim Bradley is a friend of mine and, let me be clear, you're no Jim Bradley.

Interjections.

Hon Mr Stockwell: Well, Rosie is a friend of mine too. Two friends of mine spoke, but the trouble with being around here for more than five years is you get the opportunity to see people in government and in opposition. I like Jim Bradley, wonderful guy. I was on Toronto council when Jim Bradley was the Minister of the Environment and, you know, Jim was a wonderful guy then, but it just didn't sound like the same Jim Bradley I heard speak. He looks the same—he's a little rounder—and he sounds the same, but what he says is different.

Now, Rosie, you've got that problem too. When you sit on that side of this place, you sound really sincere. You honestly do, and if I didn't know you before you sat over there, I'd probably go, "Boy, I believe that Rosie." But I knew you and I saw you and I read what you said you were going to do. Remember the Agenda for People?

I stand today a very forlorn, disappointed person, because having known you and having seen you, and having watched my good friend Jim Bradley and my other good friend Rosie tell us we have no environmental conscience, I know what you two did, and if I had more than two minutes, I'd tell them.

Mr Phillips: I appreciate the chance to comment on my colleague from St Catharines and just also to comment on my friend—I've been around a while too. I remember Mike Harris used to sit here when he was in opposition and he was purporting to be a friend of the environment. Of course, now he has moved over there and things have changed.

Actually, my colleague from St Catharines has been consistent. I think you'd be hard-pressed not to find that he said exactly the same thing when he was in government as he says now. If there's one thing he does feel absolutely passionate about, it's the environment. He has spent 15 years of his life on this. I can tell you, having sat with him now for 15 years, what he said when he was in government is exactly what he says now in opposition and never changes a word. He is worth listening to on environmental matters. I thought he did a great job not only in expressing his view on the environment, but in looking for some independent advice.

The government itself appointed the Environmental Commissioner. Mr Miller is, I gather, from North Bay, and at the very least very much an acquaintance of the Premier. But the Environmental Commissioner couldn't have been more hard-hitting. He uses language in here about the government "deliberately misleading."

My colleague from St Catharines gives both his own advice and pulls together for all of us the advice of outside, objective people: the Environmental Commissioner, the Provincial Auditor, the Sierra League and others. We can accuse many around here of having different views when they're in government and when they're in opposition. Actually, Mr Bradley has been consistent every single day.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): I want to congratulate my friend from St Catharines for his speech. People in Nepean-Carleton, my constituency, like his, feel very strongly on the protection of our environment. We too have had concerns, in Metcalfe, in Edwards, Ontario, in Osgoode township, in Manotick, about water quality. It's something that this government is responding to, that heightened concern. My constituents in Nepean-Carleton believe we've got to get tougher on polluters. This bill will help give us the toughest fines in all of Canada for major polluters. Only companies that defy the law and engage in practices that are damaging to public health and the environment need worry about these tougher penalties. I think it's important that we level the playing field, and so do people in my constituency. Those folks who play by the rules and who accept their responsibilities with respect to the environment should never be put at a competitive disadvantage to those people who break the law. This bill gets tough. It's not a bear to the majority of companies and enterprises which comply with laws but it gets tough on those companies which don't accept their responsibilities.

Mr Barrett: The bad guys.

Hon Mr Baird: The bad guys, as my colleague from Haldimand-Norfolk says.

These tougher fines and jail terms will give us a greater ability to deter and punish those who choose to operate outside the law, those people who choose to threaten our environment, those people who choose to put all of our public health at risk. This is an important step along the way to do more to protect our environment and respond to the priority of the people not just in Nepean-Carleton and Nepean, Osgoode, Rideau and Goulbourn, but indeed what people across the province are expressing and demanding from their government at all levels.

The Acting Speaker: In response, the member for St Catharines.

Mr Bradley: I appreciate the comments of the members for Trinity-Spadina, Etobicoke Centre, Nepean-Carleton, and Scarborough-Agincourt, all of whom I think offered some interesting observations, to say the very least. I simply, to each one of them, reiterate my

hope that there will be a careful analysis of this bill, that the provisions that appear to have been weakened will in fact be removed or strengthened and that the other provisions will move forward.

I will be voting in favour of this bill because I think any bill which will increase the penalties is important. I simply implore the government to take a new attitude in terms of enforcement of those penalties. If the government were to do so, I will be the first one to applaud that. My fear is that there will be a continued attitude that, "Well, we shouldn't be always investigating and prosecuting people. We should be working with them." I think, though, that there are so many companies out there who are today, in the year 2000, good corporate citizens that we shouldn't be penalizing those individuals. I think my friend from Nepean-Carleton mentioned this, one of the speakers. We shouldn't be penalizing those people by allowing others off the hook, people who don't want to live up to the laws of the province. So you have to take a tough stance. If you take a tough stance with the polluters, you find out first of all that they recognize that the government means business, and second, they recognize that they could be next, those who are observing what's happening.

There is a deterrent effect there if the government is prepared to enforce the laws. But it can only do so if it has the will, if it restores to the ministry the kind of morale that's needed there and the kind of clout that's needed there to enforce those laws.

The Acting Speaker: Further debate?

Mr Marchese: Imagine how happy I am to have this opportunity to speak to Bill 124. It's a wonderful opportunity. If there's one benefit of having fewer New Democratic members, it's that you get a chance to speak in this place, if there is a benefit. I don't think that—

The Acting Speaker: I have made an error and I'm sorry. The NDP was to skip this rotation. The member for Niagara Falls.

1740

Mr Bart Maves (Niagara Falls): Thank you, Speaker. Sorry to disappoint the member from Trinity-Spadina, taking away his 20 minutes. Seeing that it's getting close to 6 o'clock, unfortunately we're not going to be able to hear from him today.

But it is a pleasure for me to rise today and speak for the last 15 minutes or so to this bill, Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties, brought in by the excellent Honourable Dan Newman, Minister of the Environment.

Let me just say of the member for St Catharines, who the Minister of Labour deemed a friend of his and who the member from Trinity-Spadina said was a friend of his, I would say the same thing. The member for St Catharines and I, over the past five years, have been on reviewing stands together in parades and we've attended regional council meetings together. We share a common bond, I would say, in our faithful devotion to the Buffalo Sabres. So we are friends, the member and I. I can say he's a friend of mine too.

The Minister of Labour was a little bit chagrined that he didn't have more time, because he wanted to talk about how actions sometimes were inconsistent with words. In the case of the member for St Catharines, I know one of the examples that's been put forward is that the member signed, as the Minister of the Environment, the environmental assessment exemption from the Whitevale dump, which is on the Oak Ridges moraine. That's something we've raised; it's just one example. I know the Minister of Labour, from Etobicoke, has more examples where words indeed were not met by actions. But I don't want to get into those because, as I said, the member for St Catharines is a friend of mine.

The member for St Catharines talked in his speech about this bill being a very good show, that by increasing the penalties on polluters it was a very good show. He was concerned that we didn't have the action to meet our show, but I'd like to outline how yes, this bill is show but we also have taken actions that the members opposite have neglected to mention.

First of all, if I can just reiterate the show, this bill increases the maximum fine for a first conviction on a major offence for an individual from \$100,000 to \$4 million per day, and for subsequent convictions from \$200,000 to up to \$6 million per day. It increases the maximum fine for a first conviction of a major offence for a corporation from \$1 million a day to \$6 million per day, and for subsequent convictions from \$2 million to \$10 million per day. It increases the maximum jail terms for individuals convicted of major offences from two years to five years and increases the cap on administrative penalties from \$5,000 to \$10,000 per day. So that is the show that's in this bill.

The member complained that there was some weakening in this bill of penalties on directors of companies. Well, the opposite is actually true. Previously they faced administrative penalties, but now charges against directors and officers of companies that are polluting are considered to be very serious and will now be dealt with by using the most severe enforcement tool available to the ministry; namely, prosecution. So rather than weakening, we're actually toughening, because we're using the more severe tool in this case because of this bill. It's essential that we get that straightened out.

I also want to talk about some other areas where there is the show, the toughest penalties on polluters in all of Canada because of this bill, and the action. Right off the bat what comes to mind for me is of course our environmental SWAT team. We announced in the Blueprint that we would have an environmental SWAT team, and indeed the minister has already taken steps to establish this team. We're hiring 65 new staff, including 30 inspectors, nine investigators and program analysts, engineers and scientists to go out and find the polluters that are out there and prosecute them appropriately for their offences. That's an area where an action is clear.

I want to go further, though. I want to talk, for instance, about charges laid and tickets issued by the ministry and orders issued by the ministry, which have

all gone up dramatically over the past few years under this government. Let me give some examples. In 1999, charges laid by the ministry were up 51% over the previous years. These are charges for discharging pollutants into water—manure spills, diesel fuel spills. Charges were up 51% over last year, and this shows actions taken. There has been a 200% increase in orders issued from 1996 to 1999. Let me give examples of some of these orders: municipalities whose water and sewer systems don't comply with standards put forward by the province; companies who have emissions that don't meet the standards would get an order from the ministry to rectify those situations. There has been a 200% increase in orders issued by the ministry between 1996 and 1999. There has been a 225% increase in the number of tickets issued between 1996 and 1999. An example would be a ticket issued to someone for dumping garbage at the side of the road, and there would be tickets issued by the smog patrol that we now have. You can see that over the past three years, action in the environmental area has been substantial.

There are more actions I can talk about, as I talk about tickets issued and the smog patrol. Drive Clean is something we've implemented in Ontario. Members on the other side wanted to do it, and talked about doing it for years, but didn't have the courage to do it. This government did it. It wasn't a politically popular program, I would say. People have to bring their vehicles in, hook them up and have an emissions test done. If they need to fix that vehicle—I thank the member for Nepean for his kind comments. I know he's off to check if there are any polluters in his riding and to crack down on them. I want to wish him the best of luck in that. But I digress.

The Drive Clean program was not politically popular. It was difficult for us. People had to come in after their cars were three years old. We started it in the Toronto area and in another pilot area in the province. It wasn't politically popular, but we did it and it has been successful. Vehicle air emissions are down 22%—in that area, I believe. I know we got a lot of phone calls and complaints at the time we brought in the Drive Clean program. It's an extra cost on people—\$30. But it was for the air we breathe, and we thought that was vitally important. So we had the political courage to bring in the Drive Clean program.

Let me continue about action. We're now extending that program to other areas of the province. It's going to the Peterborough area, it's coming down to the Niagara area and it's out in the London area. We're expanding it, and in a few years it'll be across Ontario. That is action. I know that on January 1 I'm going to get phone calls. When residents in the Niagara region find out they have to get a Drive Clean stamp of approval, they're not necessarily going to be happy. But at the end of the day, it's for the air we breathe. That's an action by this government. It was a brave and bold action, and it's working to clean the air we breathe. For the members opposite to continually talk around that or fail to mention that action is a concern, because it really leaves an unfair picture with the people at home listening to debates.

The member mentioned groundwater and assumed that nothing had been done, and someone said that nothing had been done about monitoring groundwater in this province for many years; I think one gentleman the other day said since 1970, which would mean that the last time something had been done was by a Conservative government. In the years between 1970 and 2000, there was a Liberal government for five years, and many of the Liberal members opposite were part of that government. There was also an NDP government for five years, and I think every single member of the NDP opposite was a member of that government. So nothing had been done on groundwater.

1750

But this government has taken steps on groundwater monitoring. We established the provincial groundwater monitoring network. It's a \$6-million investment. When it is complete, approximately 400 monitoring wells will be established in consultation with the ministry's partners, being the conservation authorities and municipalities. Our new groundwater monitoring network will monitor water quality parameters and water levels to determine groundwater conditions in Ontario. So, while it's true that nothing had been done for 10 years by the members opposite when they were in office, this government has taken on the issue of monitoring provincial groundwater. To date, by the way, around 34 groundwater studies involving over 120 municipalities have been approved with a ministry funding commitment of \$4.5 million through the groundwater management study fund.

The members opposite like to say there has been no action, that this bill is just show and there has been very little action. But here are several examples of concerted action taken by this government, and I'm not done yet. These are only a few examples that I could come up with on my own. I know that if I asked the Minister of the Environment or the parliamentary assistant or the Premier to come up with more examples of action this government has taken with regard to the environment, they would come up with a longer list.

I have one more, and it's a more recent one. Another example of action taken by this government was Operation Clean Water, an action plan to improve water quality and delivery throughout the province. The cornerstone of this action plan is the drinking water protection regulation. It took force in August and applies to all municipal water works and other large water systems.

Let me tell everyone exactly what the regulation requires. It requires regular and frequent sampling and testing of drinking water; stringent treatment requirements for all drinking water; quarterly reports for consumers so they are kept up to date about the long-term quality of their water supplies; microbiological and chemical testing by accredited laboratories; clear requirements for the immediate person-to-person communication of reports of potentially unsafe water situations to the Ministry of the Environment, the local medical officer of health and the waterworks owner; and full public access to water quality information.

Water quality standards, as well as testing and reporting requirements, have the force of law, and this is a first for Ontario. Remember, the members opposite had a crack at government and didn't take these steps, but this government has taken that step and those requirements will now have the force of law.

Operation Clean Water goes a little further than that. It includes inspections of the more than 600 municipal plants that treat drinking water in Ontario. Never in the history of Ontario have so many of these types of inspections been conducted in such a short time. The Ministry of the Environment has indicated that between early June and September 29 this year, the ministry completed 404 inspections. Sadly, various operating deficiencies were found at 212 facilities. These findings, though, led to the ministry issuing 164 orders to plant owners, requiring that they take corrective action to fix the problems identified during the inspections.

I support this bill because, as the member from St Catharines says, it is show. It is bringing in the toughest penalties on polluters anywhere in Canada, and I think almost anywhere in North America. That is the show. He complained that this government hasn't taken any action. I think I clearly outlined several areas where this government has taken strong action with regard to the environment. I reiterate, we talked about the SWAT team and the hiring of 65 new staff; we talked about the increase in charges, up 51%; a 200% increase in orders issued by the ministry; and a 225% increase in the number of tickets issued by the ministry. Obviously, that's a great deal of action.

We talked again about the provincial groundwater monitoring network that this government has invested in, which again is a solid example of taking action; Operation Clean Water, again a solid record of taking action.

The Drive Clean program, as I said, may not be politically popular. There are more and more people in the Toronto area who, as they get used to it, have grown to really appreciate the program, who say they were treated fairly when they got their test done and from a long-term point of view they see why we need that program. But when that program gets brought to the Niagara region, to London, Peterborough and some other areas of the province, as we expand it to become a province-wide program, I know I'm going to get calls. I know the member from St Catharines will get calls. But I'm sure that at that point his actions will meet his words and he'll support the program. He'll say, "Drive Clean is important," because it is for the air that we breathe.

These are outlining—as I said, the bill is not just those penalties. It's very important, when we talk about this bill and when we talk about the show and the penalties, that we keep talking about the actions taken by the government.

I see you're nodding at me, Speaker. I'm aware that it's 6 of the clock, so I will stand down my final three minutes and 43 seconds.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until 1:30 of the clock on Monday.

The House adjourned at 1758.

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No. 93A

N° 93A

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 23 October 2000

Lundi 23 octobre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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Hansard Reporting and Interpretation Services
3330 Whitney Block, 99 Wellesley St W
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
3330 Édifice Whitney ; 99, rue Wellesley ouest
Toronto ON M7A 1A2
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 23 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 23 octobre 2000

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

PREMIER'S VISIT TO SUDBURY

Mr Rick Bartolucci (Sudbury): The Premier will be slithering into my community to make a rare public appearance this week, not to announce an equal travel reimbursement policy for northern cancer patients, nor to promise he'll repay the Sudbury Regional Hospital his three-year-old, \$10.6-million debt in unpaid restructuring money. He won't be in Sudbury to acknowledge he has a responsibility to help defray huge costs associated with municipal restructuring, nor is it his plan to commit funding to help build a new water treatment plant to replace the current centuries-old facility that has caused water problems for south-end residents for years.

He won't be apologizing for ridiculing northerners and dismissing us as malcontents because we didn't want Toronto's garbage dumped in our area; and he won't admit to a change of heart about his responsibility as Premier to curtail rising fuel costs; nor will he reverse his government's dangerous decision to privatize air ambulance paramedics.

He will be in Sudbury visiting our community with his hand out at a \$150 fundraising dinner. If you count the number of times the Premier has visited our area, you will know what Sudburians know: that almost every visit is made for the purpose of begging for money to maintain his extravagant, lavish lifestyle.

I urge the Premier to have a change of heart, priorities and ethics. Premier, use this visit to pay your debt to our hospital and provide desperately needed money; use this trip to direct \$24 million into the municipal restructuring debt that you have created; and use this trip to end health care apartheid for northerners.

FEDERAL ECONOMIC POLICY

Mr Garfield Dunlop (Simcoe North): When the provinces and federal government originally signed the Canada health and social transfer, the agreement called for the federal government to provide funding of 50 cents on every health care dollar spent. That funding has reached an all-time pathetic low in 2000, to a point where

the federal government is providing only 11 cents of every health care dollar spent here in Ontario.

Our Premier and our Minister of Health have worked tirelessly on behalf of all Canadians to have funding restored to a more realistic level, despite the fact that the federal government sits with billions in surplus because of revenues from the strong economic growth in provinces such as Ontario and Alberta, and despite the Liberal opposition's not supporting the Premier's health care resolution in the House back in April, and despite the Leader of the Opposition's complete failure to work with the Premier to have Ontarians' federal tax dollars spent on health care.

Our Premier has shown commitment in leading all of Canada's Premiers into shaming Jean Chrétien into agreeing to add federal health care dollars into our system just prior to a federal election, and he did this partially by investing in health care ads. The ad buster over there disappeared.

The new federal funding after five years will still not be back to pre-Chrétien levels, but now Jean Chrétien is spending millions of dollars on partisan advertising trying to take credit for an agreement he was shamed into signing. The people of Ontario would like to hear the opposition leader comment on our tax dollars being used on federal partisan advertising.

POST-SECONDARY EDUCATION FUNDING

Mr Alvin Curling (Scarborough-Rouge River): Let's face it, Bill 132, introduced by the Minister of Training, Colleges and Universities, permits private universities to set up shop in Ontario. She said, "It's about providing students with a wider choice." She goes on to say, "This is big business" and "So why would we get involved?" Education is not a business. It's about providing students with skills to compete in this competitive labour market.

I have a great deal of respect for the minister, but she has been led down the garden trail by a government which has created a crisis in the educational system. This was their intent in all of their policies. They said, "We need to create a crisis," and that is exactly what they've done on the Mike Harris watch. Tuition fees have gone up by 60%; student indebtedness is, on average, \$25,000; there have been a plethora of additional incidental fees that students are now paying.

Now that the students have more choices, does this really mean they have viable options? The operative word here is "options"—options that are viable and valuable, which is highly important as we enter the new millennium. There's a demand for skilled professionals in this highly skilled workforce. Dalton McGuinty and the Liberals support increased investment in our public colleges and universities, not passing the buck to private operators whose main motive is to make a profit. We don't support private universities that will extract funds away from public institutions. Where is the promise Mike Harris has offered, that every qualified student would have a space in our colleges and universities? That seems to be gone, and they should be reminded about their promise they have not kept.

PORNOGRAPHY

Mr Carl DeFaria (Mississauga East): I'd like to ask for unanimous consent to wear a white ribbon to commemorate the 12th White Ribbon Campaign Against Pornography.

The Speaker (Hon Gary Carr): Agreed? Agreed.

Mr DeFaria: Today marks the first day of the 12th annual White Ribbon Campaign Against Pornography week, organized by the group known as Canadians Addressing Sexual Exploitation. The ribbon I wear today was given to me by members of the Catholic Women's League at St Patrick's parish, a church in my riding of Mississauga East. People across Canada are being asked to wear white ribbons to show their support for the ongoing battle against the degrading and demeaning pornography. Wearing a white ribbon this week is a way of expressing our concerns about the harm pornography has on individuals, families and communities, and especially on our children.

Today, more than ever, pornography that is illegal and depraved is available to anyone with access to the Internet. I am pleased to tell you that this year the Peel Regional Police have launched a cyberspace program which is in the schools already to teach children from grades 3 to 10 how to use the Internet safely. I commend the initiatives made by volunteer organizations in our community that have worked hard to raise awareness on this issue and bring about change.

I ask all members to join me in wearing a white ribbon this week to show our solidarity with them and to express our deep concerns about this problem.

VOLUNTEERS

Mr Mario Sergio (York West): On October 17 I was very proud to join 150 very special people in my riding for the Jane and Finch community and family recognition evening. The Jane and Finch community is an area of our city where many new immigrants continue to settle and many working people live in dense neighbourhoods. It is an area where individuals and families need help and supports.

How fitting it was to hold a celebration honouring its volunteers under the banner, "Volunteering, a great way to grow." There has been tremendous gain and growth indeed, due to the labours of these special people. Here is how the volunteer experience was described by these selfless and dedicated individuals, the true heroes of the Jane and Finch community: "Volunteerism leads to employment"; "You feel better about yourself and your community"; "You'll learn better parenting skills"; "One gains an incredible understanding of community participation"; "You give for the sake of others"; "You'll learn and grow because you don't take your responsibilities lightly."

I take this opportunity to express my congratulations to all the Jane-Finch Community and Family Centre volunteers, and a great big thank you to Richard de Gaetano, the outgoing president, for nine years of selfless leadership, commitment, passion, dedication and openness. All of you have done a tremendous job. You have given your best. You have once again made our community a very proud one.

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LABOUR DISPUTE

Ms Shelley Martel (Nickel Belt): It's been 84 days since the strike between Mine Mill/CAW and Falconbridge began in our community. This strike is having a profound negative impact on the workers, their families and the community at large.

The fact is, it didn't have to be this way. This Harris government repealed the NDP government's ban on scab labour. Now there's no incentive for companies like Falconbridge to sit down and seriously negotiate a new collective agreement. Instead, the company is using its management and contract workers to continue production at the smelter, taking jobs away from those who are legitimately on strike.

In court several weeks ago, in an attempt to get an injunction against the union on picketing activity, Falconbridge said it was operating at 60% of its usual capacity. If that's true—and the testimony was given under oath—it's no wonder there are no negotiations going on. If you can replace your own workers with scab labour, why negotiate? This has been the problem since the start of the strike.

Last Friday, Falconbridge claimed the strikers were picketing on company property. They demanded picket shacks be removed by 6 am this morning. If not, strikers would be charged with trespassing. Of course, there's no proof that anyone is trespassing, as Falconbridge still needs to prove where their property begins and ends. This is another example of how far the company is willing to go to enflame the situation.

On day one of the strike, they brought in a southern Ontario security firm to survey picket lines with mounted and hand-held cameras on a 24-hour basis. They lost a court injunction in September and now they're trying to

drag in the Sudbury Regional Police on unfounded allegations of trespass.

Time to get back to the bargaining table. Time to end scab labour.

LEGISLATIVE STAFF

Mr R. Gary Stewart (Peterborough): I rise today in this House to show my appreciation for the very sensitive, accountable service that is provided for all who work at or visit Queen's Park by our legislative security services. Security at Queen's Park is handled in a most efficient manner. If ever you have to contact an officer, your call is responded to very quickly. Many of us who work here have overheard officers handle very difficult situations in a very professional manner. Employees or members of the public are treated humanely, equally, fairly and with respect in an environment of open communication.

We feel confident that social order problems or problems of compliance with the law are identified, thus providing us with a safe environment in which to work, often into the wee hours of the night. The commitment and dedication of the security officers at Queen's Park deserves to be recognized. I am very proud of the work of our legislative security services.

Please join me today in thanking this group of men and women who provide us with an excellent security service.

HEALTH CARE

Mr Dave Levac (Brant): I want to take this opportunity to congratulate all those who helped open the new nurse practitioner office in the riding of Brant this week, particularly the Victorian Order of Nurses, Brant-Haldimand-Norfolk branch; the Brant County Health Unit; the Children's Aid Society of Brant; the Brant and Brantford Housing Authority; the Eagle Place Neighbourhood Association; and the Brantford Parks and Recreation Department.

Stepping Stones Resource Centre is one example of how nurse practitioners in the province can play a vital role in providing primary health care, especially with the severe shortage of doctors we have. The province has about 400 nurse practitioners, of whom about 70% are unemployed or underemployed. However, they cannot and they do not want to replace family physicians.

I must continue to bring to the attention of this House the prolonged doctor shortage existing in this province. Dalton McGuinty and the Liberal caucus have offered concrete solutions. However, these shortages continue to be a stark reminder that this government is not doing all it can to correct the situation.

In my riding of Brant, there are currently 18 vacancies for general practitioners in Brantford and three GP vacancies in Paris. Due to these shortages, there are tens of thousands of people in Brant without a family doctor. In fact, in Eagle Place, where I grew up and where my

mother still resides, there are 8,000 residents with only one family physician. That is why I want to express publicly again my disappointment with this government for their continued lack of action for the people of Ontario.

MUNICIPAL REPORT CARDS

Mr David Young (Willowdale): I rise today to offer congratulations to the Minister of Municipal Affairs and to offer my support for the recently introduced municipal report cards. This is an idea whose time has come.

One of the hallmarks of the Mike Harris government has been our focus on increasing and strengthening accountability. These new municipal report cards will enhance municipal accountability and give taxpayers more information on how their municipal tax dollars are being spent.

However, not everyone in this Legislature likes the idea of increased accountability. In fact, our newest member, the member for Ancaster-Dundas-Flamborough-Aldershot, has made it clear he does not care for them. The member has offered two criticisms on this initiative. In a statement to the House last week, he said it would be better if we worked with our municipal partners. Well, guess what? We did. Over 40 municipalities in Ontario helped to develop these report cards through trial runs.

The Windsor Star also notes that the member proposed provincial reports cards—a fine idea. However, I remind the Liberals that in this place we are held accountable by the auditor, the Ombudsman, the Integrity Commissioner, the estimates process, the public accounts process and many other mechanisms.

We in this Legislature have grown accustomed to Liberals being contrary for the sake of being contrary. However, in this instance, what we're really observing is the Liberal agenda, which opposes accountability.

SPEAKER'S RULING

The Speaker (Hon Gary Carr): On Monday October 16, 2000, the member for Brant rose on a point of privilege to indicate that his rights as a member were infringed upon because he was denied entry to the Genest Detention Centre for Youth on October 5, 2000. The member for Niagara Centre and the Minister of Community and Social Services also made submissions.

The member for Brant referred to subclause 103(1)(b)(iv) of the Child and Family Services Act, which reads as follows: "A child in care has a right ... to speak in private with and receive visits from ... a member of the Legislative Assembly of Ontario or of the Parliament of Canada."

In response to this point, let me say that the statutory provision does state that the member has a right to speak and visit with a child in care; it states that the child in care has the right to speak with and receive visits from a member. In short, the right belongs to the child in care, not the member. Further, the jurisdiction for interpreting

the right of the child in care belongs to the courts of law, not to the Speaker.

The member for Brant also referred to section 59 of the Ministry of Correctional Services Act, which reads as follows: "Every member of the Legislative Assembly is ... entitled to enter and inspect any correctional institution, community resource centre or other facility established or designated under this act for any purpose related to the member's duties and responsibilities as a member of the Legislative Assembly, unless the minister determines that the institution, community resource centre or facility is insecure or an emergency condition exists in it."

The member for Brant, and subsequently the member for Niagara Centre, suggested that the Speaker should extend the rationale of section 59 of the Ministry of Correctional Services Act, which deals with adult correctional facilities, to find that the member has a similar right to visit young offender facilities covered by the Child and Family Services Act.

Again, were I to do as the member suggests, I would have to interpret the law, something that our precedents and parliamentary authorities indicate the Speaker should avoid doing. As has been confirmed by my predecessors in this chair, and Speakers in many parliaments elsewhere, interpretations of law should best be left to the courts.

I must point out that the matter raised by the member for Brant relates to activities that occurred away from this chamber and were unconnected with the member's parliamentary duties. The procedural authorities and a multitude of precedents make it clear that privilege attaches only to a member's parliamentary duties and not to subsidiary duties away from Parliament.

Therefore, I find that a *prima facie* case of privilege has not been established.

VISITORS

The Speaker (Hon Gary Carr): I am pleased to inform the members of the Legislative Assembly that we have a group of visiting dignitaries from Portugal, who are here for a major cultural celebration with the Portuguese-Canadian community. I am sure all members would like to welcome our guests from Portugal.

MOTIONS

HOUSE SITTINGS

The Speaker (Hon Gary Carr): Motions? The government House leader.

Applause.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Wait until they hear the motion, Mr Speaker, and you won't hear much clapping.

I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, October 23, Tuesday, October 24, and Wednesday, October 25, 2000, for the purpose of considering government business.

The Speaker: Mr Sterling moves that, pursuant to standing order 9(c)(i)—

Interjection: Dispense.

The Speaker: Dispense? Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Carried.

1350

VISITORS

Mr George Smitherman (Toronto Centre-Rosedale): On a point of order, Speaker: I think that all members of the House would want to join with me in welcoming in the gallery the mother and sister of page Andrzej Samoraj: Dr Barbara Mederski and Andrew's sister Krystyna.

Mrs Marie Bountrogianni (Hamilton Mountain): On a point of order, Speaker: I also welcome the family of Mikhail Ferrara, our page from Hamilton Mountain. They are in the gallery as well. Welcome.

ORAL QUESTIONS

ENVIRONMENTAL PROTECTION

Mr Dalton McGuinty (Leader of the Opposition): My question today is for the Minister of the Environment. Late last week the people of Timiskaming dodged a bullet, no thanks to you whatsoever. In fact, I will take this opportunity to congratulate my caucus colleague for his exceptional work on this matter in defence of his own community.

Minister, your pathetic abdication of responsibility in managing this issue is matched only by another area of pathetic abdication of responsibility and that's the fact that you have taken our province out of the business of the three Rs. This year we're going to have revenues in the neighbourhood of \$62 billion. What I want you to tell us is, how much money are we going to be spending on putting forward a program of the three Rs, and in particular providing leadership to our municipalities and the private sector when it comes to the three Rs? There is \$62 billion. How much money are you going to spend on the three Rs in Ontario?

Hon Dan Newman (Minister of the Environment): The Leader of the Opposition would know that we've formed the Waste Diversion Organization. That organization has completed its final report, and our government

continues to be committed to the blue box program. We want to ensure through this that it remains sustainable over the long term. That's why we had the WDO put in place. In fact, on November 3, 1999, the ministry announced the establishment of the WDO, which is a partnership of government, municipalities and industry, with a commitment of \$14.5 million from its members to help fund municipal blue box programs and other waste diversion programs in our province. That would include, among other things, items like composting and other special household waste depots that have been going on. In addition, the WDO was asked to develop options for a sustainable funding formula and to provide up to 50% of the net operating costs for municipal blue box programs in our province.

Mr McGuinty: It's wonderful to hear what the WDO has been recommending, but you in fact have been spending no money, zero cents in Ontario, on the three Rs. You came up with \$190 million for political partisan advertising, but you can't come up with a cent for waste diversion programs.

Before you people came on the scene here, we were spending significant dollars when it came to the three Rs in Ontario. We spent \$30 million to help municipalities with the blue box program. We spent all kinds of money for our municipal reduction and reuse grants. We helped household hazardous waste collection grants; we put some money into that program. We helped out with the industrial three Rs for their reduction, reuse and recycling programs. There was a grant to the Association of Municipal Recycling Coordinators.

We've got \$62 billion in revenue. We are going to have more and more cases where our municipal partners are going to be coming under heavy fire, tremendous pressure to put more waste into dumps, and you're not putting a single penny into diversion programs. How can you possibly justify that? In this time of unprecedented prosperity, these skyrocketing revenues, you haven't got a cent for the three Rs.

Hon Mr Newman: The Leader of the Opposition is right in only one regard and that's simply this: they spent all kinds of money, because that is the Liberal way. Unfortunately, they had nothing to show for it, nothing positive to show with respect to the environment, and that's shameful on behalf of the Liberal Party.

But again, the WDO, the Waste Diversion Organization, was asked to develop options for a sustainable funding formula to provide up to 50% of the net operating costs of the municipal blue box program in our province. In March 1999, the LCBO provided \$4 million to assist municipalities in offsetting the 1998 costs associated with recycling wine and liquor beverage containers in the blue box program area. In March 2000, the Waste Diversion Organization provided an additional \$4 million to assist with the 1999 costs, and funding to assist with the 2000 costs will be provided by the WDO in the fall of this year.

Mr McGuinty: It's interesting that the minister brings up this issue of the environmental levy collected by the

LCBO. This minister should know that for every year in the last six, the LCBO has been collecting \$40 million. That's a total of \$240 million which is supposed to be dedicated to recycling. You've only used—in fact, you haven't even spent this; you've promised to use—\$4 million out of \$240 million. What you've been doing, effectively, is stealing \$240 million through the environmental levy at the LCBO under the pretext, the guise, of dedicating that to environmental purposes.

Again, \$62 billion in revenue this year, including \$240 million collected through the environmental levy at the LCBO. The people up in Timiskaming just dodged a bullet. We have no diversion programs today in Ontario. We've got a government that is not promoting the three Rs. I ask you again, how can you justify not being in the business of the three Rs in the 21st century in Ontario?

Hon Mr Newman: The total net cost of the blue box program is currently estimated to be approximately \$46 million. Costs change according to municipal recycling service contracts and the revenues received from the sale of recyclable materials collected. I don't think the member opposite got into that.

But the fact of the matter is, the government established the Waste Diversion Organization to provide municipalities with blue box funding support and, more importantly, the tools they need to achieve greater waste diversion. Waste diversion is an important aspect of the long-term sustainability of our environment, and I would encourage all municipalities to include these alternatives in their waste management plans.

The province is committed to reducing waste by 50%. We think the WDO recommendations will help us to achieve that goal.

FLUOROCARBONS

Mr James J. Bradley (St Catharines): My question is to the Minister of the Environment. The Canadian Institute for Environmental Law and Policy says you're all bluster; that there's lots of sizzle, no steak.

I want to talk to you about CFCs, though, because I think all members of the House will probably be under the impression that chlorofluorocarbons had been phased out in Ontario many years ago.

Interjection: In all the world.

Mr Bradley: Exactly. I think, as the former minister says, in all the world.

But the Canadian Institute for Environmental Law and Policy says that is not the case. They say the province may give recalcitrant industries that had six years to phase out CFCs from their operations, but failed to do so, an exemption that will last until the industries say they can comply. The government has decided to reward non-compliance on one of the most serious environmental issues confronting the planet. This decision devalues the accomplishments of industry leaders like Nortel, who figured out how to phase out CFCs years ago.

Can the minister tell us how on earth, in the year 2000, anybody is allowed to use CFCs and to not phase them out?

Hon Dan Newman (Minister of the Environment): In fact, the report that I think the member opposite is talking about spoke about various issues within the Ministry of the Environment with respect to the budget. What the report also does is look at other aspects with respect to monitoring within the environment. It also talks about enforcement. It deals with many, many issues.

But the protection of the environment is something we take very seriously within the province. When you look at what the federal Liberal government did with Camco in Hamilton by granting an exemption, it shows that they are not showing any leadership at all on the issue of greenhouse gas emissions. They talk a big story. Last week in Quebec City they spoke a lot about taking action. But the bottom line is that they were granting exemptions left, right and centre throughout industries in this province, in this country, and are showing no leadership with respect to the environment.

1400

Mr Bradley: Chlorofluorocarbons, CFCs, as most of us know them, are very damaging to the ozone layer. If you look at the ozone layer up there, it is there to protect us from such things as radiation that causes skin cancer on a much more frequent basis and causes other problems for us, damage to crops and things of that nature.

What I'm asking you is why you haven't phased out chlorofluorocarbons. I thought you had done so by now. You've talked about a lot of other things. You've pointed the finger somewhere else. You're looking frantically at the sidelines, hoping somebody's going to send you a note in to tell you what's happened. All I'm asking you is, why haven't you phased out chlorofluorocarbons? I thought they were gone a long time ago.

Hon Mr Newman: I say to the member opposite that nothing is farther from the truth. In fact, the word that you used was "may." That's what you used; you used the word "may." "Just because it's in a report, I guess it's true," according to you. But you're wrong in this fact again.

Mr Bradley: I was going to go to other parts of the report, but the minister obviously is not aware that he is allowing these people to phase out, over a long period of time, CFCs in this province. He's saying somebody's wrong.

What you're saying is that the Canadian Institute for Environmental Law and Policy, which does a very detailed analysis of government policy, doesn't know what it's talking about.

I'm saying to this minister, as the former minister says, we've got to be the only jurisdiction in the world that allows people to continue to use CFCs. When are you going to end the possibility of any company using CFCs?

Hon Mr Newman: Again, the member opposite was using the word "may." What needs to be noted is that we take the protection of the environment very seriously as a

government. You know that. We've taken strong measures in this regard, unlike the federal government, which is granting exemptions left, right and centre throughout all sectors of the economy with respect to greenhouse gas emissions.

RECYCLING

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of the Environment. I want to ask the Minister of the Environment why it is that, while he was pushing the disastrous Adams mine proposal, over the last eight months he has ignored all of the exciting technological advances in terms of the recycling and reuse of municipal waste.

Last Thursday, I visited a facility in Guelph, a facility that's designed by Ontario engineers and patented by a Canadian corporation, that shows in their demonstration facility how you can recycle the aluminum, the steel, the paper, the glass; how you can then take the resulting organic waste and process it so that the methane gas is used to produce electricity and the material that is left after the process can be used on peat, in gardens and on farmers' fields.

It's been an exciting proposal, but in eight months you've refused to answer their phone calls. Why, Minister, are you ignoring all of the potential for recycling and reuse of municipal waste?

Hon Dan Newman (Minister of the Environment): Protecting the environment is a responsibility that I take very seriously. My ministry has a department that is dedicated to encouraging new green industries, like the industry that the member opposite is talking about.

I can tell you first-hand that in March of this year, about two weeks after I was appointed minister, I was in Vancouver. I saw the technology there at the Globe 2000 conference. I'm very familiar with that technology.

I know that you were in Guelph on Thursday wanting a minister of the crown to endorse a particular product or service. I'm not prepared to endorse any product or service in this province.

Mr Hampton: No, I'm not asking you to endorse any product or service. Here is the reality: the city of Montreal is coming to visit this facility because they're interested in recycling, reuse and composting. They're not interested in sending it to a landfill.

The US Environmental Protection Agency, for the first time ever, is going to come to another jurisdiction to study the technology for the purpose of certification for US use, for use in American cities, and the Harris government won't even return the phone calls, won't even return the letters.

Minister, why are you ignoring an Ontario-designed solution, a Canadian-patented solution, that will allow us to almost totally, if not substantially, reduce the amount of municipal waste that will have to go to landfill sites? Are you so tied to your friends at WMI that you refuse to look at the progressive alternatives?

Hon Mr Newman: I think it's great that cities are looking at what other jurisdictions have available. I think it's wonderful that the city of Montreal is choosing to look at this type of technology.

I understand right now Mayor Lastman, the mayor of the city of Toronto, is in Edmonton looking at what they're doing with respect to compost. But the fact of the matter is that municipalities have the responsibility for long-term waste management plans. I would encourage you to encourage other municipalities to look at all other options and alternatives that are available, such as this.

The Speaker (Hon Gary Carr): Final supplementary?

Ms Marilyn Churley (Toronto-Danforth): My question is to the Minister of the Environment. What are you doing? Are you taking any leadership here? The answer is no.

But minister, on another subject: Today the Canadian Institute for Environmental Law and Policy released their report, their fifth-year report on your government's environmental record—yet another report to add to the long list of reports that say your government has failed to protect the environment and the health of Ontarians.

Minister, this report tells us that since you came to office, the Ministry of the Environment's budget has been cut by a whopping 60%. That's both operating and capital combined. Facts and figures don't lie. Each damning report makes it clear that your government cannot and is not protecting Ontario's environment and the health of its people.

Minister, I'm asking you today: as a result of this report, will you commit to hire back at least 500 of the 1,000 staff that you have let go so we can protect the health of our citizens in Ontario?

Hon Mr Newman: This government is dedicated to the protection of the environment through good management, through strict standards and through strong penalties.

I think it's important that we look at historical trends to see functions that have been retained as programs and see how they've changed and look at how staff numbers and functions have changed. Contrary to what the member opposite says, any allegations of reductions of inspection and investigative staff have not happened. The reality is that there have been no reductions made to investigative staff within the ministry. Compliance funding has been reduced, but almost half the ministry's workforce, compared to only 40% during the NDP's government, deals with investigative functions.

The truth of the matter is the Liberals played smoke and mirrors with the ministry's budget by transferring in responsibilities such as the Niagara Escarpment Commission in 1991-92. The NDP continued when they merged the ministry with the Ministry of Energy in 1993 by adding \$55 million to a—

The Speaker: Order. I'm afraid the minister's time is up.

HEALTH CARE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Northern Development and Mines. It's about your government's failure to respond to the health care needs in northern Ontario.

The city of Kenora has a crisis in terms of a physician shortage. It is so bad that there are 2,500 citizens in the community who don't have a family doctor. They often have to go to Winnipeg to see a family doctor.

One of those people, and her name is Isabel Ulak of Kenora, besides having to access a family doctor in Winnipeg, then had to go to Winnipeg to seek specialist surgery. When she went to Winnipeg and back after the specialist surgery, she was told that the northern health travel grant wouldn't help her with the travel costs because she wasn't referred by an Ontario doctor. How is she supposed to be referred by an Ontario doctor when people can't get a doctor in Kenora?

Minister, you made the problem, first, by limiting the number of physicians in northern Ontario, and then you made a further problem by not allowing people like this, who have to go outside the province for surgery, to be assisted by the northern health travel grant. What are you going to do to fix these two problems and make sure people receive the justice they deserve?

1410

Hon Tim Hudak (Minister of Northern Development and Mines): I'm pleased to respond to the leader of the third party's question. In fact, if he wants to send the individual case over, we'd be pleased to look into it to help the individual receive the health care the individual needs.

We've made every effort to improve access to health care services across northern Ontario, northwestern Ontario, the Kenora area. In fact, I had a chance to visit earlier this past year to invest some money in the local hospital to help them out, to provide needed equipment to attract more doctors to the area. My ministry is, as well, investing in a Think North CD-ROM initiative, telecommunications initiatives to help doctors link up to help make better decisions and success for the Ministry of Health and Long-Term Care in bringing more doctors to northern Ontario.

The new initiative recently announced by the Minister of Health to help provide tuition costs for new doctors to practise in underserved areas, like the Kenora area, is a step forward. It's a long-standing issue, but this government has done far and away more than Mr Hampton did when he was in power to bring doctors and specialists to northwestern Ontario.

Ms Shelley Martel (Nickel Belt): Minister, the question was, what are you going to do to fix the problem? It's not an isolated one. We have the same problem in northeastern Ontario. I have constituents who live in Gogama who regularly have to travel to Sudbury to see a family doctor. The practice in Gogama is full, and they have to regularly travel over 100 kilometres one way to

access care, and they can't get any reimbursement from the northern health travel grant as a result.

The Ministry of Health estimates for this year show that your government is planning to spend \$2 million less on the northern health travel grant program than you estimated last year. We have more people than ever before without a family doctor in northern Ontario, we have more people than ever before who have to go to southern Ontario to see a specialist, and your government's going to spend \$2 million less on this important program. How do you justify that, Minister?

Hon Mr Hudak: In listening to the answers from the Minister of Health and Long-term Care on this issue, I believe she is in the process of reviewing the travel grant. I certainly will bring forward the views that I have heard from northerners to that table as well.

But the member opposite forgets her time in power and her time as Minister of Northern Development and Mines. In fact, there was a loss of 345 doctors in Ontario in the last full year of the NDP government, which had been cut by a third by 1997 by this government. We're reducing that; in fact, we're making progress to bring more doctors to the north, as I described.

She mentions a reduction in spending on travel. Their vision may be to send patients all across Ontario from the north to get service; our vision is to improve access to care in northern Ontario, to bring services closer to home to people so they can get that access within driving distance.

In fact, back to the northwest issue, Fort Frances recently received money for a kidney dialysis—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

ENERGY RATES

Mr Bruce Crozier (Essex): My question is for the Minister of Agriculture. Minister, the greenhouse industry is a major part of the economy in Essex county, and I'd like to give you some facts.

The fact is that there are more greenhouses in Essex county than in the whole of the United States of America. Essex county greenhouse production is 80% of the Ontario greenhouse production, it creates a \$1-billion impact on the economy of Ontario, and now it's in jeopardy because of rising natural gas prices.

As you may be aware, natural gas is used almost exclusively by greenhouses throughout the province and particularly in Essex county. The price of a gigajoule of natural gas has increased from \$3.30 to \$6.50 over the past year, and it's still rising.

Minister, I'd like to ask you this: are you doing anything to help this industry which contributes so much to the economy of Ontario?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I want to assure the member opposite that we too, as government, appreciate the size and the quality of the greenhouse industry in the Essex area. I have in the past year been to the Essex area, I

believe three times. In fact, the industry invited me to come down and not only see it from the ground but to fly over the area to see the massive growth that they've had in that industry.

They also pointed out that they had a number of concerns with the growth of that industry, one of those being the price of the fuel it takes to grow their crops and to keep the climate control in the greenhouses. As recently as last week, I spoke with some members of the greenhouse association to talk about the impact that fuel prices are having on the growth of the greenhouse industry.

Some of them were talking to me about looking at some alternatives, other types of fuels that they could use. An interesting one is that one of the producers is looking to change the heating system for the greenhouse industry over to using corn. Of course, other parts of our agricultural industry are having problems getting a reasonable price for that corn. I encourage him, and we will be working with the industry to see if there is some potential for that in order to help us deal with the price of gas as it relates to the greenhouse industry.

Mr Crozier: Minister, we all know that energy prices are hitting the viability of the greenhouse industry, as you've acknowledged, and in fact are hurting the family farm. In addition to low commodity prices, farmers have had to deal with extremely high diesel prices. Now they hear there are going to be skyrocketing natural gas prices, which will cause ammonia and fertilizer costs to dramatically increase.

Farmers are facing a triple threat: first, they'll have to pay more for the fertilizer they use to grow their crops; second, they'll have to pay more for the diesel oil and fuel that they use to plant and tend and harvest their crops; third, they're going to receive historically low prices when they eventually sell their crops. Minister, what are you doing to address this triple threat to the farmers of Ontario?

Hon Mr Hardeman: I want to assure the member that we are very concerned about the cost of agriculture production in the province of Ontario and the amount of revenue they are getting in return for that. A lot of other industries of course have the ability to have their prices set or to increase their prices when the cost of production increases, and that is not the situation with our farmers. That's why it's so important that we have good quality safety net programs designed for Ontario farmers to make sure we can help farmers in these times when the commodity prices go down.

As it relates specifically to fuel prices, I suggest that impacts all industries in the same manner and that, in the competition for the product, all producers have the same problem with the increased fuel prices. But it's very important that we have safety net programs in place to make sure that farmers, with all the adverse conditions and all the adverse prices they have, have those programs in place so they will not be forced out of business—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

ORGANIZED CRIME

Mr Toby Barrett (Haldimand-Norfolk-Brant): My question is for the Solicitor General. As you know, Port Dover is in my riding, and every Friday the 13th Port Dover is a destination for bikers from not only parts of Canada but the United States. A week and a half ago, about 30,000 people arrived in Port Dover to take part in the traditional activities, an event that was uneventful, by and large; a law-abiding group there that evening.

However, as many of us are aware, there are organized gangs that conduct business centred around criminal activity, drugs and prostitution. Oftentimes this business involves murder. These are issues that come to mind to people in Port Dover on Friday the 13th, when the Harleys arrive.

Minister, what is the scope of the problem with respect to organized crime in Ontario?

Hon David H. Tsubouchi (Solicitor General): I'd like to thank the member for Haldimand-Norfolk-Brant for his question. Organized crime costs people billions of dollars in Ontario every year. It also threatens the safety and very fabric of our communities.

Our government has taken a number of initiatives and certainly has made many investments in the area of fighting against organized crime. I want to commend my colleague the Attorney General, Jim Flaherty, because last August we brought together crime fighters from around the world, from many of the common law jurisdictions, to share ideas on how we can take the initiative and find new ways of combating organized crime.

But that's not all. Quite frankly, we felt there was a real need to make investments in this area. We have a \$2.7-million annual commitment to fight biker gangs. Just last week I met with the chiefs of police of Ontario to discuss other ways we can work with our policing community to combat organized crime. A lot of it deals with the sharing of intelligence, the sharing of information, which we have a commitment to try to co-ordinate among all levels of police services.

1420

Mr Barrett: Thank you for that explanation, Minister. I believe all the investments and initiatives by our government are helping. I see some evidence of this locally with respect to drug use. Could you tell the House, and certainly my constituents in Haldimand-Norfolk-Brant, what measures your ministry, other ministries and the Ontario Provincial Police are taking to deal with biker gangs in our province?

Hon Mr Tsubouchi: I thank the member for Haldimand-Norfolk-Brant for the supplementary, which gives me an opportunity to speak a little about the provincial special squad. This was formed in 1998 under my predecessor, Bob Runciman. This squad is dedicated to investigating outlaw motorcycle gangs and criminal activity. This is under the direction of the OPP, but it consists of 17 other police organizations and agencies and is based on a national strategy to fight against these outlaw gangs.

Since 1998, the special squad has charged 56 members of biker gangs with 478 various criminal and narcotic offences. In September 1999 the special squad conducted an undercover investigation and seized 1,000 pounds of explosives, the greatest seizure in Canadian history for this type of police project. So there are results. We have a commitment to continue to invest in the fight against organized crime. We also have a commitment to find new ways to fight organized crime to make things better for people in Ontario.

CONSTRUCTION INDUSTRY

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Labour. Over the weekend it became quite clear that you had lost what little trust you had left with members of the Ontario building and construction trades. The resolution that was passed by the building trades on Sunday was not only to oppose any move you may come forward with to get rid of section 1(4) of the Labour Relations Act, but also they've adopted the position that they're going to oppose and fight any move from you to bring back Bill 69 or any similar legislation that would weaken their role in the construction industry in Ontario. Minister, you betrayed them and you changed the rules on them. At the end of the day, that is why the whole thing fell apart.

Clearly, as I told you last week, we are on the verge of a war in the labour movement, in the construction industry. You are going to declare war on unionized labour, particularly in construction, with your actions. Will you today declare a truce, stand up and tell us you have no plans to bring in any legislation to get rid of section 1(4) or any legislation similar to Bill 69?

Hon Chris Stockwell (Minister of Labour): No.

Mr Agostino: It's that type of arrogance that's going to cause every single construction site in Ontario to come to a standstill, once you bring in your legislation as a favour to your friends who have raised a ton of money for you and who have lobbied you extensively. Now you are going to cater to their wishes.

You obviously are intent on picking a fight. You're obviously intent on starting a fight, and your actions are going to lead to a massive shutdown of every construction site in Ontario. That is not in the best interests of Ontario, and that is not in the best interests of workers. But your actions in failing today to rule out the possibility of section 1(4) being brought back for removal or any legislation such as Bill 69 are exactly what will cause that.

Again, Minister, you've got a clear opportunity here. You can continue to have your strings pulled from the Premier's office, which obviously wants a fight with the labour movement and wants a fight with the construction industry, or you can take some leadership as minister today and again assure Ontarians and the construction industry that you have no plans to bring in any legislation that's going to cause the type of disruption that 1(4) or 69

would. Will you do that and give me more than a smug, one-word answer?

Hon Mr Stockwell: I wasn't trying to be smug or arrogant. You asked me a question with respect to our having any plans or will we not adopt plans to make changes to the construction act, and my response was, very clear, no, I can't give you that undertaking. Your supplementary question was exactly the same as your first question: "Will you give me an undertaking that you will make no changes to the construction labour relations bill?" I've got to tell you I can't.

We think there is a competitive problem within the construction industry in Ontario today. We believe there is a competitive problem from the non-union and the union sections. We also believe that if we're going to have a competitive and viable construction industry, we need to make legislative reforms that allow both the non-union and the union to competitively bid on work.

As far as I'm concerned, if the question is, "Can you tell us today that you will not come in and change any of that part of the bill?" well, no. It's not smug, it's not arrogant; it's simply, no, I can't give you that undertaking.

ONTARIO WHOLE FARM RELIEF

Mr Garfield Dunlop (Simcoe North): My question is for the Minister of Agriculture, Food and Rural Affairs. Farmers in my riding and across Ontario have been facing a very tough growing season and low commodity prices, resulting in financial hardship for many. I, along with my other Simcoe colleagues, have met with farmers, and they have explained the serious situation they face.

Last week, the member for Chatham-Kent-Essex made some disturbing remarks about the Ontario whole farm relief program. The whole farm relief program is very important to farmers in my riding, and many are counting on it to provide assistance this year. Minister, can you update this House on the successes and the problems associated with the program, and how do you respond to the remarks made by the member for Chatham-Kent-Essex?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I want to thank the member for Simcoe North for the opportunity to set the record straight. I want to assure the member that the Ontario whole farm relief program continues to be successful and a needed part of our farm income support package. I am proud that we have been able to get \$130 million to over 7,200 Ontario farmers since the program was set up two years ago.

Farmers continue to express support for the program. They support the fact that Ontario was the first jurisdiction in the country to come forward with a disaster program. They support our enhancements to the program and, more recently, they supported the extension to October 30 of the deadline for applying for the program for this crop year.

The Ontario whole farm relief program is the last line of defence for Ontario's farmers. We continue to work to

make the program more effective and efficient for our Ontario farmers.

Mr Dunlop: Minister, I know the whole farm relief program is a cost-shared program between Ontario and the federal government, 60%-40%, just like the rest of the safety net programs available to farmers. Earlier this year, I remember that the federal government asked Ontario to hold half of the federal funding for disaster relief. Many farmers do not understand this decision, and now they are calling on the federal government to pay their full share, as agreed to. I heard last Friday that the federal government put out a press release stating that they will now cover 80%, but still less than their full share.

When can Ontario farmers expect the full amount of federal funding for this program?

Hon Mr Hardeman: I thank the member for the question, as he brings up a very important point. As I mentioned, and as the member knows, the whole farm relief program is very important to our farmers. In Ontario we have made a strong commitment to our farmers to pay the full 40% of this program. The federal government chose a different route, only providing 50% at the start. Now they're going to increase that to 80% funding. Our goal is to get this money to the farmers who need it as quickly as possible. Unfortunately, the federal government often announces these farm programs but takes several months to get their money to us. We haven't yet received the 80% share of this program, and we have no indication of when they will live up to their agreement.

Safety nets are designed to help farmers during tough times, and we need the federal government to come forward with their full share of the whole farm relief program in order to get more money out to our farmers, as agreed in last year's safety net agreement. We are looking forward to receiving the money very soon, so we can get it out to our Ontario farmers.

WOMEN'S CENTRES

Ms Frances Lankin (Beaches-East York): My question is to the minister responsible for women's issues. I'd like to ask, why are you continuing at this time to cut funding to eight women's centres, when you have more money in the pot to spend on women's programming? In a really cynical attempt to cover up your actions and your cuts to women's centres, you issued a press release today re-announcing your government's funding plans for women's programs, which you originally announced months ago. But you artfully avoid the fact that you've cut funding to eight existing women's centres.

Women's centres in Toronto, Windsor and Ottawa might close because you pulled their stabilized funding. You cancelled the program for stabilized funding for women's centres, and you're now using that money to go to annual project funding for community organizations. The stabilized funding meant that battered women who live in communities could rely on a welcoming place to help them build their self-esteem and to take back power

and control into their own hands. They are most often the places and the kinds of services women need first, before they can take advantage of skills development programs that you are funding.

I think you just don't get it, Minister. Women's groups keep telling you that women's centres are best equipped to provide these first-response services. I want to know, why have you ended their program for stable funding and threatened their very existence?

1430

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member opposite for the question. I'm pleased to admit that after a couple of weeks they recognize that we have increased funding to women's centres. That was the question two weeks ago: "How can you cut funding to women's centres?" At least this week we're recognizing that the funding has gone from \$855,000 to \$1.3 million to \$1.8 million.

Next week I'm sure they'll recognize that we've put funding into a number of important women's centres so that we can help women find jobs and get away from the cycle of violence that they've been associated with. I'm optimistic that as they continue to research it, the opposition will find that I've done the right thing by putting more money into this program and ensuring that women get the services they need and deserve in our community.

Ms Lankin: Minister, you continue, in a very cynical way, to use language that confuses women's centres with other community organizations. Women have been very critical of what you have done in taking away stable funding from women's centres. No one disagrees with funding skills development programs, but you've taken the money to do that away from women's centres. Not every organization you have funded is a women's centre.

Do you not know the difference, or are you, as I suspect, being very deliberate in using incorrect language? You are so cynical in reannouncing—

The Speaker (Hon Gary Carr): Would the member take her seat. Stop the clock.

You can't say that. The member needs to be very careful in saying that, and I would ask her to withdraw that and not say that in the chamber.

Ms Lankin: Speaker, I withdraw what was offensive.

What I am saying to the minister is that when she calls these organizations "women's centres," she belies what is going on in our communities and what these centres have done for so long.

You are funding annual project funding for programs now. You have cancelled stable funding for women's centres. We have asked you to produce the list, publish the list, of those organizations that got the funding. You have again, as of today, refused to do that.

Two things: will you re-establish the funding for the eight women's centres that you have cut, and will you publish the list of those organizations that you are now funding under your annual project funding?

Hon Mrs Johns: Let me be very clear. We have increased the funding; we've doubled the amount that any

organization can apply for from \$45,000 to \$90,000. We are still funding women's centres.

Let me just give you a quote: "We are particularly excited this year. We can provide specialized services in the area of domestic violence specific to women in northern Ontario." That comes from the Sudbury Women's Centre. How can they say I'm not funding women's centres when I have quotes from women's centres that say that it's happening?

When they get their research finally done, they'll find out that we're investing in women's centres and that we've increased the amount of dollars. This funding is going to help women all across the province, and it's making a real difference to women in Ontario. We're not going to tolerate violence; we're not going to tolerate women not getting the jobs they deserve. We're going to do everything in our power to help women in the province of Ontario.

POST-SECONDARY EDUCATION FUNDING

Mrs Marie Bountrogianni (Hamilton Mountain): My question is for the Minister of Training, Colleges and Universities. Minister, you announced that Ontario would be opening its doors to private universities last April on a Friday afternoon when the students were either in exams or already home for summer session. It wasn't in your campaign Blueprint, and you didn't introduce any legislation before that announcement. You announced that there would be public consultations, and then you changed your mind and had private meetings. Last Thursday, a full six months later, you brought this April decision into the Legislature.

This is not what the people of Ontario voted for. You said in your press conference that you were finding better ways of delivering better quality post-secondary education. In fact, you're finding better ways of avoiding the funding of our excellent quality post-secondary institutions.

This is what Principal Leggat of Queen's University recently stated: "Our excellence is being eroded by forces beyond our control." He feels he has no choice but to ask that you grant him permission to deregulate undergraduate arts and sciences tuition, making it the first university in Canada to do so.

Minister, your very own young Tories have asked you to freeze tuition. Will you stand up today and guarantee that undergraduate arts and sciences tuition in our public universities will not be deregulated under the Harris Tories?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): I would say to everyone in this House that it has been the commitment of successive governments to focus on the public post-secondary education system across this province. That is why our public system in fact has more funding, more than \$3 billion in funding, to support the operations of the public post-secondary system. That is why we are looking

forward to increased growth in our system: \$1 billion and 57 new facilities across the province.

I understand that my critic is concerned, but we are here to grow our public post-secondary system and to support our students with accessibility and excellence.

Mrs Bountrogianni: The minister once again didn't answer the question. My question was, will she promise not to deregulate undergraduate arts and science?

But the biggest insult at the press conference last Thursday was when the minister stated that education is a business. Education is not a business, Minister, it's a right. It's the great equalizer in a just society. It's what makes Canada and Canadians unique. Shame on you and your government for attempting to take this away.

What's next? Is your government going to privatize health care, too, because that's a good business? Does your government see this as a good business as well?

Minister, please tell us how these private institutions will not access any public monies when you have already admitted they will access OSAP and when the rules of NAFTA clearly outline how they can access public monies freely and by law once they're in.

Hon Mrs Cunningham: I thought I made it quite clear with regard to the leader of the Liberal Party, who asked me the same question last week. I made it very clear that in this province our post-secondary institutions are about students. They're about a province that has the largest number of 18- to 24-year-old students—35%—in the history of this province and across North America.

I will say there is going to be a greater and greater demand for post-secondary education at all kinds of levels, whether we're talking about formal degree programs, informal seminar programs, two-day programs or 10-year programs. I don't think there is any possibility that current institutions can respond to that entire demand even if they wish to. I think the more options that are available, the better. Bernard Shapiro, principal of McGill University, former deputy—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

EDUCATION FUNDING

Mr Bert Johnson (Perth-Middlesex): I'll just give the member for Ottawa Centre a moment to wind up his conversation.

I have a question to the Minister of Education. I met with students from schools in my riding of Perth-Middlesex, a rural riding except for the city of Stratford, and they expressed concern about funding to the education system. In fact, I've heard concerns about funding to the education system on more than one occasion. What are we doing to help students who live in rural ridings like mine?

Hon Janet Ecker (Minister of Education): Supporting schools in rural and northern ridings is an extremely important priority of how we fund school boards to provide education services. We have a number of specific grants which go to rural and northern boards to recognize

their unique circumstances. For example, the geographic and school authorities grant has increased by about 7% just in this last year alone, which is much more of an increase than the increase in student enrolment. As a matter of fact, despite that increase some of those boards have actually had declining enrolments, and yet we have increased that geographic and school authorities grant because we recognize that's an extremely important support for those schools as they try to provide supports for their students. We've more than doubled the money as well in some other categories for rural schools. It's a very important priority.

1440

Mr Johnson: I'd like to thank you, Minister, for your response, and I'm glad to hear the government is committed to ensuring quality education for all students, regardless of where they live. However, there are rural schools in this province, including in my jurisdiction, that are facing declining enrolments. What are you doing to meet the needs of the students in these schools that are declining in enrolment?

Hon Mrs Ecker: First of all, there's no question that the way we fund schools, the foundation grant as it's called, is based upon enrolment, and it is meant to rise and fall with the number of students that a school board has. But what we also recognized is that for rural and northern boards, even though their enrolment may have decreased, they still require resources to provide services in communities. That's why, for one example, the Huron-Perth Catholic District School Board has received an increase of some 38% in their geographic grant from last year to this year to recognize the cost of those services. We also have increased by some 117% the grant for remote and rural allocation, another important support. We've also asked boards this year to report on what their long-range needs are so we can look and if there are further improvements required, we can do that.

JAIL CLOSURES

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Correctional Services and it concerns the future of the Pembroke jail. Under your government's plan, the Pembroke jail is slated to close in approximately eight months' time: July 2001 was the announcement made by your officials a few months ago.

You will know—and I know that you do know—that there is a very high level of concern among the staff at the Pembroke jail and among the broader community in the upper Ottawa Valley as to what precise plans your department and the Harris government have to provide adequate and accessible correctional services to the upper Ottawa Valley. So I ask you now: what are your plans and what is your timetable to ensure that there will be adequate and accessible correctional services to the thousands of people who reside in the upper Ottawa Valley?

Hon Rob Sampson (Minister of Correctional Services): The plans actually aren't too different from what

we've talked about in the past, and that is, I received a proposal from some local citizens that would have that jail stay there in some reduced format, but some reconfigured format, to deal with the needs of the local community as they relate to individuals who haven't yet been sentenced but are awaiting the conclusion of their trial. I've been encouraging that process to continue, because I would like to try to find a solution that would provide some correctional facilities locally if at all possible.

But clearly the current situation that involves the existing facility is just not something that can be maintained, because it's a facility that was built I believe before this country became a country. In spite of renovations in the past, it is in need of change and modifications we need to find in a correctional facility that will deal with the needs of that community, and I'm prepared to look at that inclusive of the local solution.

Mr Conway: Minister, you will know that there are approximately 35 to 40 full-time and part-time staff who work at the Pembroke jail, and they're watching this exchange today. They understandably want to know what their futures are.

Hon Chris Stockwell (Minister of Labour): Why are they watching in prison?

Mr Conway: My friend the Minister of Labour might want to make light of this, but I represent 35 to 40 families who have a very real interest, to say nothing of the Renfrew county bar, the ministerial association and all kinds of people who live in communities like Pembroke and Petawawa and Eganville and Barry's Bay and Deep River who want to know that they are going to have accessible and reliable correctional services in their part of eastern Ontario.

Can you tell the staff at the Pembroke jail what precise expectations they should have about their jobs and their futures, knowing as we both do that they've been told their jail and their jobs are going to be gone by July 2001?

Hon Mr Sampson: In fact, I have met with the representatives of the employees there and have mentioned to them that I am quite open to an option that keeps some operational beds in Pembroke to service the needs of the community, but the current operation of the facility is just not on the table—as it shouldn't be, because it's a facility that has outlived its time.

The current plan is, of course, to move those particular beds to a far more efficient and secure facility in Ottawa. Local individuals, inclusive of the employees, have said, "Is there not another option that you're prepared to consider, Minister?" I said, "Of course," and we've been working diligently to try to find that situation. It has taken longer than I would have liked, I will say to the member across the floor, but if in the end it means that we have a correctional facility in Pembroke that keeps some employees in the business of providing service to us, I'm prepared to spend the time and the effort to get there, if we can.

MINING INDUSTRY

Mr R. Gary Stewart (Peterborough): My question is for the Minister of Northern Development and Mines. As you know, the mining industry is a significant contributor to Ontario's wealth. The strength of the mining industry is particularly important, needless to say, to the economy and the viability of the north, where so many communities have been built on the prosperity of this industry.

As we all witnessed, and continue to witness with the Bre-X story, decisions based on incomplete and inaccurate mining data can harm the individual investor and bring the integrity of the Canadian market into question. Will you please explain to the Legislature what actions your ministry is taking to protect the many good people in Ontario and across the world who invest in the mining sector and to help prevent scandal of this kind being repeated.

Hon Tim Hudak (Minister of Northern Development and Mines): I thank the member for Peterborough for the insightful question. The member is right. The Bre-X scandal definitely impacted on international mining and capital markets, and because Ontario plays such an important role in those markets, with about 40% of the capital, we have been impacted significantly by that.

We want to make changes in this province to ensure that Ontario continues to be the most attractive jurisdiction in the world in which to invest for mineral capital, and that's why we introduced legislation this past June to establish a self-regulating body for geoscientists to ensure the information that is coming forward is accurate, is reliable and is reviewed by professionals.

I'm pleased to say, as well, I think that the importance of this legislation to the province was recognized, in that we had all-party support to move it through for third reading. The moving ahead, responding to the Ontario Securities Commission and the Toronto Stock Exchange task force, means we are on the right track to help restore confidence to this industry.

Mr Stewart: I'm glad to see that the ministry has taken positive steps to protect the public from fraudulent claims, through creating an accountability that geoscientists themselves want, but that alone will not stimulate the mineral industry in today's global market. Minister, what have you done to ensure that the Ontario mining industry can compete both here in Canada and internationally?

Hon Mr Hudak: As I mentioned, about 40% of the world's mineral capital is raised right here in the province of Ontario, in Toronto. It's a significant figure, but it's true. That's one thing, the legislation for geoscientists, but we wanted to make sure that we, as well, backed it up with real actions on the taxation front and on the regulatory front.

That's why we have brought in programs like Operation Treasure Hunt, a record investment in geo-physical and geochemical survey; we're cutting the Ontario mining tax rate in half to make it the lowest tax in all of Canada. Similarly, for new remote mines open-

ing up in the province, we're creating a 10-year tax holiday and then a further reduction in the tax rate after that to spur economic investment in that area. As well, we've brought in an Ontario-focused flow-through share program, to spur investment in grassroots prospecting and development, a move that has spurred the federal government to finally act on that initiative. We're moving forward, and that's the bottom line.

1450

NATIVE FORESTRY ISSUES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Natural Resources. Two weeks ago the Minister of Natural Resources announced a policy of allowing 10,000-hectare clear-cuts in the far northern forest, and he tried to justify it by saying it would be good for caribou habitat. A 10,000-hectare clear-cut is the same as 20,000 football fields or one football field 1,250 miles long.

Minister, since in your own words this is clearly intended for the far northern forests, could you tell us what consultations you've had with the First Nations people who live there and would clearly be affected by this disastrous proposal?

Hon John Snobelen (Minister of Natural Resources): I thank the leader of the third party for the question. This is something that's important. That's why changes in policy go on the Environmental Bill of Rights, as he knows. We get responses from the public, and we have provided for a time to do that. We are seeking public response to this question and other questions affecting forestry in the province.

Let me remind the leader of the third party that this comes out of and our policies on forestry come from the broadest public consultation on public land use in the history of this province. Under the previous minister we began a process where we sat on three round tables and talked to people who were interested in this subject right across the province, including First Nations people, who were invited to those processes. From that, we are developing a forestry—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

Mr Hampton: Minister, the fact of the matter is that you didn't consult with First Nations then and you're not consulting with them now. At the same time that you're proposing 10,000-hectare clear-cuts, your colleague the federal Minister of Indian Affairs and Northern Development is proposing all-weather roads all over the north to get the wood out, and neither of you has discussed any of this with First Nations.

The First Nations people are not going to allow you to come in and cut what would be the equivalent of the city of Etobicoke in one fell swoop and then take the wood out. When are you going to begin real and serious discussions with the First Nations before you promote all-weather roads, 10,000-hectare clear-cuts and mines all

over their territory? When are you going to consult the people who are going to be affected?

Hon Mr Snobelen: As always, the leader of the third party is entertaining, if not informative. In fact, he has attempted to confuse many different issues.

I can tell him quite proudly that we intend, on our forest regulations, to consult widely with the people of Ontario, including First Nations communities. We have had a track record of doing just that. In fact, we have spent more time and more effort talking to the people of Ontario about what to do with public lands than any previous government. That's why we've been able to add 378 new parks and protected areas and protect over six million acres of land in this area of the undertaking. We're proud of that record.

BUSINESS OF THE HOUSE

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I rise on a point of order with respect to standing orders 53 and 55.

With respect to the point of order, standing order 53 deals with notices to this Legislature about items to be considered. Standing order 53 reads, "All notices required by the standing orders of the House or otherwise shall be laid on the table before 5 pm and printed on the Orders and Notices paper for the following day." Standing order 55 states, "Before the adjournment of the House on each Thursday during the session, the government House leader shall announce the business for the following week."

You'll note that in today's orders there is no reference to what will be debated or discussed tonight. I draw this to your attention particularly in reference to the Camp commission of the 1970s, which basically set up these rules. They were adopted by the Legislature to ensure that the opposition would have a meaningful opportunity to prepare for debate and to know what items would be coming forward. It has been the custom of this House since approximately the mid-1970s that this would be the case.

What is happening more and more often, and I spoke with the table earlier today about this, is that they must go on the assumption that a motion will be passed before they can publish anything. Hence, on Monday, in the event that we're sitting at night, they don't have the opportunity to publish.

I would ask you, sir, to review this, because the broader context, it seems to me, has to do with the ability of the Legislature to adequately prepare for debate on issues that are coming forward.

The Camp commission in the 1970s was particularly concerned about the independence of the Legislature from the executive council. Among other things that came about as a result of that were the Speaker taking responsibility for the legislative chamber. Those rules were put into place, sir, to enable us to have a full and fair debate of the issues. Increasingly, we are not being told on Thursday what we will be debating on any given

day, and now, with this particular situation, we're left in a scenario whereby the government is not even compelled, as per standing orders 53 and 55, to publish at an appropriate time—certainly not to have it at the table before 5 o'clock the previous day.

I would ask you to review those standing orders and the circumstances which have come about as a result of that situation.

The Speaker (Hon Gary Carr): I thank the member. The government House leader.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): The reason I think the order paper today could not have the business of this evening, even though I indicated to the House leaders last Thursday what that business would be, so it's not a secret to anybody who's in this Legislature what the business will be—the problem is that the Legislature can't put it on for this evening's sittings until that motion is moved today.

I don't know whether we can get around that with some way of at least revamping the standing orders.

Mr David Christopherson (Hamilton West): Move the motions on Thursday.

Hon Mr Sterling: Perhaps that's the case. If we need a revision to the standing orders in order to do what I would deem a technical matter, then we'll look at it in good faith and do that.

I also would point out that section 54 of the standing orders says that, "Except as otherwise provided in these standing orders, government business will be taken up in the discretion of the government House leader."

Section 55 has always been viewed by the House as a matter as to whether the government House leader or another member of the government—often the government whip—puts forward the business for the next week. That has been done as often as possible, but it isn't always done and it hasn't always been done.

So, Mr Speaker, we're quite willing to work to revamp the orders in order to allow this to stand on the order paper. Basically, the opposition members do know what's going to be debated tonight. We're quite willing to work co-operatively if an amendment would make this clear, as long as the same discretion is left to the government House leader in terms of dealing with business.

Mr Christopherson: On a point of order, Mr Speaker: I say to the government House leader that it's fine for a few of us in here, perhaps, to know informally on a Thursday what may happen, but that doesn't do the public any good, because nothing's published. They, as much as anyone here, have a right to know what's going on.

I might suggest respectfully, Speaker—and I know you can't order it, but I would suggest it and put it on the record—that if we move the motions for evening sittings on the Thursday rather than on the Monday, that would accomplish all that we're looking at, and the government House leader still reserves the traditional right to call the business that the government would like to.

I would ask, Speaker, if perhaps you could talk with the government House leader and look at that suggestion to ensure that we do know what is going to happen here and, just as importantly, that the public also know.

The Speaker: I thank all of the House leaders, and I will investigate and try to come up with some type of solution.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This is a petition to the Ontario Legislature, and it deals with northerners demanding that the Harris government eliminate health care apartheid in this province.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

Of course I affix my signature to it, as I am in complete agreement with it.

1500

McMICHAEL CANADIAN ART COLLECTION

Mr Rosario Marchese (Trinity-Spadina): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection, vest too much power in the hands of the founders, who have been more than compensated for their generosity, diminish the authority and responsibility of the board of trustees, limit the focus of the art collection and hamper the gallery to raise private funds, thereby increasing its dependency on the taxpayers and significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I support this petition.

ENVIRONMENTAL BILL OF RIGHTS

Mr Michael Gravelle (Thunder Bay-Superior North): I have an important petition presented to me by Dr Tom Puk from Lakehead University related to the Ministry of Education exemption from the Environmental Bill of Rights.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Environmental Bill of Rights was intended to give the citizens of Ontario a way of getting involved in environmental decision-making; and

"Whereas the Environmental Bill of Rights requires Ontario government ministries to develop a statement of values to 'guide the minister and the ministry staff when making decisions that affect the environment'; and

"Whereas the Ontario Ministry of Education has been exempted from the requirements of the Environmental Bill of Rights despite the importance of environmental education; and

"Whereas the Ministry of Education has eliminated environmental science as a stand-alone set of courses that focuses entirely on the science of the environment from the secondary school curriculum; and

"Whereas the Ministry of Education is responsible for developing educational policies that directly affect the ecological literacy of future citizens and is, thus, partly responsible for the health of our environment; and

"Whereas the citizens of Ontario are being denied their right to shape the decisions being made about environmental education by the Ministry of Education's exclusion from the Environmental Bill of Rights;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to prescribe the Ministry of Education to the Environmental Bill of Rights without further delay."

It's a very important issue, and I'm very pleased to add my name to this petition.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have another petition regarding the Harris government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I agree with the petitioners and have affixed my signature to this. I'd like to thank Gerry Loughheed Jr for all of his efforts.

PENSION FUNDS

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Health announced a new model on January 25, 1996, for improving and coordinating long-term care services. The amalgamation of the home care and placement coordination services function did shift to community care access centres (CCACs). The governing bodies of various pension plans, namely the Ontario Municipal Employees Retirement Savings (OMERS), Victorian Order of Nurses (VON), Family Services Association (FSA) and Hospital of Ontario Pension Plan (HOOPP) have failed to successfully negotiate agreements for a transfer of pension assets.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the pension adjustments are a transition item which the ministry has not yet addressed. We are requesting a one-time adjustment to enable the transfer of pension assets. This transfer is required to ensure that employees transferred from predecessor employers (namely health units and the Victorian Order of Nurses) to community care access centres as part of the mandatory government reform initiative for 'single access to long-term-care services' receive pension benefits equal to those which they formerly enjoyed. Provincially over 3,000 health care workers are affected. The individuals who transferred to the CCACs had no control over what would happen to their prior pension contributions. Unless a one-time adjustment is made to enable the transfer of reserves, the typical employee will

lose about \$2,000 annually in pension benefits compared to the position they would have been in had they been allowed to remain in OMERS."

It's signed by a number of residents of Chatham, Merlin and Wallaceburg, and I affix my signature to it.

FRAIS DE TRANSPORT AUX FINS MÉDICALES

M. Gilles Bisson (Timmins-Baie James) : J'ai ici une pétition des gens de la région de Hearst et Mattice à l'Assemblée législative de l'Ontario :

« Les gens du nord exigent que le gouvernement Harris mette fin à l'apartheid en matière de soins de santé.

« Attendu que, d'une part, le programme de subventions accordées aux résidents du nord de l'Ontario pour frais de transport à des fins médicales offre un remboursement partiel au taux de 30,4 cents par kilomètre » à sens unique « à l'intention des personnes atteintes de cancer, et que, d'autre part, la politique de déplacement pour les gens du sud de l'Ontario rembourse en entier les coûts de transport, de repas, et d'hébergement ;

« En conséquence, il est résolu que les soussignés exigent que le gouvernement Mike Harris propose immédiatement de financer en entier les frais de transport » pour les gens du nord de l'Ontario atteints de cancer, afin de mettre fin à cette situation non équilibrée.

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): "To the Legislative Assembly of Ontario:

"Whereas we strenuously object to permits to take water being issued by the Ministry of the Environment without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request a moratorium on the issuing of permits to take water for non-farm, commercial and industrial use and the rescinding of all existing commercial water taking permits that are for bulk or bottled water export, outside of Ontario, until a comprehensive evaluation of our water needs is completed. An independent non-partisan body should undertake this evaluation."

I very happily sign this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr David Ramsay (Timiskaming-Cochrane): A petition to the Ontario Legislature:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I will affix my signature to this.

1510

Mrs Lyn McLeod (Thunder Bay-Atikokan): "To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I add my signature to those of my constituents who are concerned about this issue.

Mr Michael Gravelle (Thunder Bay-Superior North): As you can see, the northern health travel grant continues to be a great concern to all northerners. I have some more petitions that have come in as well.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

As always, I'm very pleased to add my name to this petition.

FARMFARE

Mr David Christopherson (Hamilton West): I have a petition to the Legislative Assembly that reads as follows:

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits; and

"Whereas the Harris government of Ontario has not provided any consultation or hearings regarding this initiative; and

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7; and

"Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

"We, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario."

I thank Stan Raper of the United Farm Workers for forwarding this to me, and I proudly add my name to those of these petitioners.

HUNTING IN WILDERNESS PARKS

Mr Michael Gravelle (Thunder Bay-Superior North): Another important issue is the question of hunting in wilderness parks, and I have more petitions coming in.

"To the Legislative Assembly of Ontario:

"Whereas the Minister of Natural Resources has confirmed that the province is considering allowing hunting in Ontario's wilderness parks, including Quetico, Killarney, Wabakimi and Woodland Caribou;

"Whereas the provincial government made no mention of opening up wilderness parks to hunting when it came up with the Ontario Living Legacy policy last year for a vast area of publicly owned land across northern Ontario;

"Whereas the province's wilderness parks were originally established to be sanctuaries where the forces of nature would be permitted to function freely and where visitors could travel by non-mechanized means and experience solitude, challenge and personal enjoyment of that protected area; and

"Whereas opening wilderness parks to hunters undermines the principles the parks were established to fulfil, threatens animals and exposes the public to risk;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Natural Resources renew and reconfirm its ban on hunting in all of Ontario's wilderness parks."

I hope the Minister of Natural Resources does, indeed, do that soon, and I'm very happy to add my name to this petition.

OPPOSITION DAY

WATER QUALITY

Mr James J. Bradley (St Catharines): I move that this House recognizes this government has abandoned responsibility for protecting our water by: ignoring repeated warnings about water safety from the Provincial Auditor and Environmental Commissioner; drastically slashing funding and firing staff from the Ministry of the Environment and the Ministry of Natural Resources who play a key role in protecting our water; and

That this House demands that the government take action on this serious problem by:

Finally keeping their long-standing promise to deliver a comprehensive groundwater protection strategy;

Beginning to restore the 45% cut to the budget of the Ministry of the Environment;

Beginning to rehire the one third of Ministry of the Environment staff that the government has laid off; and

Immediately passing a comprehensive clean drinking water act.

The Deputy Speaker (Mr Bert Johnson): I understand the time is split evenly between the three parties. If he would like to lead off debate, the Chair recognizes the member for St Catharines.

Mr Bradley: Obviously, if you were to ask virtually anybody in this province which of the issues confronting this Legislature are of great importance, one they would certainly mention is the issue of the environment. There's a recognition out there, I think, that this government has not placed the environment as one of its high priorities. It's busy, as it would say, cutting taxes and dealing with a variety of other issues while at the same time it has been cutting resources to the Ministry of the Environment, the Ministry of Natural Resources and of course to other agencies that are extremely important, conservation authorities in our province.

In fact, today we had a report released from the Canadian Institute for Environmental Law and Policy. It's called Ontario's Environment and the Common Sense Revolution: A Fifth Year Report. Many of the issues contained in the resolution that I have before the House this afternoon are in fact dealt with in this report. It is a report that no government member would look upon with pride, because while it has some compliments, from time to time, in it, by and large it is a report which is extremely critical of the government in the areas I have mentioned.

We mentioned, for instance, that we've had independent people talk about the record of the government and independent people offer some rather biting criticism. I guess one expects that those in the opposition are, from time to time, going to be critical of government policy or government legislation or regulations, or lack thereof. But what we have are two independent officers of this House: one is the Provincial Auditor, who looks at all of the expenditures of the government and determines whether there is value for the money that is being expended and whether there are any problems with those expenditures; second, we have the Environmental Commissioner, who assesses the state of the environment, the government's record, the government's action or inaction on environmental issues.

Both of these individuals have been critical of this government on more than one occasion for lack of adequate policy to protect our groundwater. The report by the Canadian Institute for Environmental Law and Policy talked this morning about 10 specific areas where it was critical of the government for not taking appropriate action. The first that it mentioned, for instance, was the drastic cutbacks that have taken place to the Ministry of the Environment and to the Ministry of Natural Resources. Both of those ministries have within their mandates responsibility for protecting our drinking water. In some cases it's the raw surface water, the raw groundwater. Of course, in the case of the Ministry of the Environment, they supervise the finished product; that is, the actual drinking water which comes out of the taps or out of fountains in the province.

1520

When you have drastic cuts to these ministries, it means they are unable to do the job they used to do. If you go around the province you will find, for instance, that some area offices have been closed, some district

offices have been merged and the regional offices have fewer people than they used to have to protect the environment.

If I can be parochial for a moment, Springbank Creek in St Catharines has been impacted by pollution. Residents in the area of Springbank Creek are concerned that contamination has been spotted and, in their view, insufficient action has been taken to address this problem. You have to remember that Ministry of the Environment offices around this province have far fewer people, and the people who are there have been told to be business friendly. Both of those factors militate in favour of inaction in dealing with important environmental issues, and that is why the Provincial Auditor and the Environmental Commissioner have both been critical of the government over drinking water issues and over the lack of a groundwater policy.

If you talk about a strategy for groundwater, it sounds like it's rather theoretical. But it's extremely important, particularly in rural areas but also in some urban areas, because that is the source of our drinking water.

We obtained, through the freedom of information act—which means Liberal research had to pay for it, and it took a period of time to get it—a document which was supposed to be the groundwater policy of this government. There are several categories or headings. Under the heading "Action Plan," there is a blank. In other words, there is no strategy to deal with groundwater problems in the province. This is extremely sad, because what we've had is the situation in Walkerton, where six people died from drinking the water, which was contaminated, and several hundred people were seriously ill as a result of consuming that water.

There is an ongoing investigation at this time and, of course, a public inquiry which Dalton McGuinty, the leader of the official opposition and leader of the Liberal Party called for and pressured the government to come forward with. Of course, we have that inquiry. My colleague who sits beside me, Gerry Phillips, the member for Scarborough-Agincourt, is looking for a similar inquiry into the situation at Ipperwash. So far, we've had the government resist that and hide behind legalities.

When we look at the cuts, various figures are given out. I'm going to be conservative in my estimate—small-c conservative in this case—and say that one third of the staff of the Ministry of the Environment is no longer with the ministry. Forty-five percent of the budget has been cut. Some people say that if you count both the capital budget—that's things they build—and the operating budget of the ministry, you would have as much as a 60% cut in the Ministry of the Environment.

The conservation authorities used to do a great job dealing with groundwater and with the impact of farm runoff and other runoff going into our waterways. They're down to bare-bones budgets now. They've been forced to sell some of their land as a result of lack of funds available to them. They want to do that job. They need a significant investment of public money in that area.

Because significant tax cuts have already taken place, most people in this province today are saying, "Please don't send me that \$200 with the letter from the Premier saying what a great guy he is and so on. Don't bother with that. Put that money into protecting my drinking water." Yes, if you send it to them they're going to cash the cheque and they're going to use it. But most people in this province want to see it used for health care and the protection of our environment, and those two are related.

We have to recognize what the Environmental Commissioner had to say. This is an individual appointed by the majority of government members on the committee. As you'll recall, Gordon Miller was the Conservative candidate for Mike Harris in 1995 in the Timmins area, near North Bay. He's been a candidate for this party twice. He's also been president of the federal Progressive Conservative association in the Premier's own riding of Nipissing.

Even this individual has had the following to say about water taking—we seem to have all kinds of water being taken from this province, huge water-taking permits given. Here's what the Environmental Commissioner had to say. I want them to listen carefully; I know the former Minister of the Environment will be particularly interested in this. He said: "The ministry continues to approve permits for potentially massive takings of groundwater without adequate technical analysis. At best, this may result in an inappropriate private allocation of a public resource. At worst, it may threaten the sustainability of the water supply of hundreds of people drawing on the same aquifer."

He went on say: "In addition, on at least two occasions, the Ministry of the Environment has appeared to deliberately mislead the public by announcing management measures that were not carried out. Such actions are entirely contrary to the ministry's Statement of Environmental Values and to the purposes of the Environmental Bill of Rights."

I am not saying this. This is not Jim Bradley, opposition person, saying this. This is not one of us in the opposition. I am quoting what the Environmental Commissioner had to say about water-taking permits. It's quite obvious there has never been a moratorium and that what the commissioner says is correct: there has been incorrect information provided to the people of Ontario about that.

I think the resolution we have before us today, if adopted, would be a beginning of restoring the Ministry of the Environment, restoring the Ministry of Natural Resources and starting to make some inroads into protecting the water supply of Ontario.

Ms Marilyn Churley (Toronto-Danforth): I am happy to speak on this resolution before us today, and say that I and the NDP caucus will support this resolution.

The question of a Safe Drinking Water Act in this resolution before us today is interesting. As members know, a few weeks ago I brought forward what I would call a comprehensive framework of a Safe Drinking Water Act that covered a lot of the issues we've been talking about

in this Legislature since the tragedy in Walkerton. This Safe Drinking Water Act wasn't just dreamed up overnight to deal with this problem. It wasn't smoke and mirrors. It was a real, comprehensive framework which we hoped would be passed in this House and would go to committee.

Everybody who is following this story knows what happened the day we debated this bill. Tory members stood up in support. I was told that Tory members were going to support the bill, and I was very happy about that—surprised, but happy. I didn't realize that underneath there was a cynical political ploy being planned to kill the bill. Mr Speaker, I think you were in the House when this happened.

After the debate, there was all-party support. I believe there was only one person in the Legislature who actually voted against the Safe Drinking Water Act. I'm not quite sure why he did it, except I heard him talking to a member of the press later, and he said, "It's more red tape, and besides, I don't like the NDP." That was the member for—I forget which Etobicoke he's from. Will you look that up for me?

Mr Bradley: Etobicoke North.

Ms Churley: Etobicoke North. I won't mention him by name. In a way, I congratulate him because he was true to his convictions. He stood up and voted against the bill and he had his reasons why. But everybody else in the benches over there stood up and piously voted for the bill.

Let me explain what traditionally happens here when a private member's bill passes. There is a thing called committee of the whole. Those of us who are here understand that when anything goes to committee of the whole, it is dead. It goes into a black hole and disappears forever. We all know that. So what happened was—

Interjections.

Ms Churley: Oh, they're getting angry over there, because I'm about to expose them once again. What happened was, they voted for the bill. For the viewers out there, the way this archaic process works is, I stood up and said, "I don't want it to go to committee of the whole. I request that it go to an actual committee with public hearings," and I picked general government. Lo and behold, to my surprise, the Tory members forced a vote on it. They stood up and voted—

Interjection: Forced a vote?

1530

Ms Churley: Yes, forced a vote. If you know how the House works, Tory members stood up. Enough people stood and forced a vote and voted down the Safe Drinking Water Act going to committee. So on paper it looks like these guys supported the Safe Drinking Water Act, but then they voted against it going to public hearings. Let me say, this is a new trick being played in this House. I've seen them do it to a couple of other bills now as well, and it's a cheap political ploy to get away with—

Interjection.

Ms Churley: You know all about cheap political ploys over there, don't you, because it's done repeatedly in this House. So the bill got killed.

The Minister of the Environment likes to stand up and say we don't need a Safe Drinking Water Act. In fact, when I first asked him if he was going to support it, in his first answer, he referred to it, part of it anyway, as "more red tape." That's in the record, Minister.

Interjection.

Ms Churley: Don't make fun of me. Let's just get this clear: what happened here—

The Deputy Speaker: I would like to just remind speakers that when they are in debate they should direct their attention to me, direct their comments through me. If we don't have the finger pointing, if we don't have the comments directed at people, I think we will all have a better afternoon.

The Chair recognizes the member for Toronto-Danforth.

Ms Churley: What they did, Mr Speaker, is destroy any possibility for the Safe Drinking Water Act to go out there. I want to tell people that this is a bill that I had been working on for some time before the tragedy in Walkerton happened. Some of it was original, made in Ontario, I suppose, by me and my staff and others we were working with, experts in the field, as well as being based on some existing laws in the US. I don't know if the minister and the others are aware, but just a little while ago, around the time we were debating second reading of the Safe Drinking Water Act, the US was celebrating 25 years of a safe drinking water act there. The reason such an act was brought into being 25 years ago is that they were having problems similar to the problems we're having in Ontario right now with safe drinking water and the lack of comprehensive laws in place to deal with it.

So here we are at a point, particularly after what happened in Walkerton, where we have an opportunity in a non-partisan way, which is what I thought was happening that day when the bill was brought for second reading, to bring this bill forward to public hearings and have a good discussion. It could have been changed, amendments could have been made, and at the end of the day we would have had a very strong Safe Drinking Water Act in this province. The Tories decided not to go ahead with that.

I'm sure the minister, when he stands up, will talk about his regulations. I want to say clearly again that it's no good to keep repeating over and over again that we don't need a safe drinking water act because these new regulations have been put into place. The experts out there in the field and those environmental groups and others who have been calling for a safe drinking water act made it very clear, I say to the minister, that your regulations don't go far enough and that it's not what's needed now, that it needs to be enshrined in law and that the regulations have all kinds of problems and gaps in them. No longer are we comfortable with the hodgepodge

of regulations and guidelines and policies that have been in place for a number of years.

Certainly I was aware of that when I was in government. We had started to move in the direction of bringing in a safe drinking water act. We didn't do it, but the NDP did introduce a comprehensive safe drinking water bill which got scuttled by the Tories.

One of the reasons why now, more than ever, we need a safe drinking water act is because, as I outlined in a question today based on this latest report that came from the Canadian Institute for Environmental Law and Policy—we know that about a third of the staff has been cut and everybody's been saying, "Well, there was a 30% cut from the Ministry of the Environment since they came into office in 1995." If you look at this report—and the numbers are all there. They don't lie. They are fact, and they come from the government's own table. The cuts now add up to 60%. That's six zero. It's unbelievable. When I first saw it, I thought, no, there must be a mistake in this report, but then I looked at the figures and got my calculator out and, sure enough, we're talking about a 60% cut since these guys came to power.

They stand up and say, "You guys wasted money. You had all these staff in the minister's office and all these staff doing things." These staff were protecting the environment. That's why it became very clear to me, more than ever, that we needed a safe drinking water act and we needed it enshrined in law so that the government would be forced to make sure that the laws were being upheld and our drinking water actually was kept safe for the people of Ontario, that enough staff were in place to inspect and enough money and resources were in place so that the government could ensure, particularly for the smaller municipalities that need the financial support and other resources, that drinking water is kept safe. So it's all the more important to enshrine it in law, because if it's not in law, there's really no way to enforce it. Regulations can be changed by a stroke of the pen.

As I had mentioned earlier, many of these experts and environmental groups gave about a page-long list of reasons why these regulations weren't good enough. Dr Murray McQuigge, the medical officer of health who blew the whistle on the problems with the water in Walkerton, the first one, also went public and said that the regulations which the Minister of the Environment will proudly speak of again today are not adequate.

You would think that after what happened in Walkerton one of the biggest priorities of this government would be not to play games, not more PR, which is what we've seen repeatedly. This government's response to what happened in Walkerton is to come up with more smoke and mirrors to make it appear to the public that something is actually being done. We saw that in terms of the increased-penalties bill that we're debating throughout the days ahead of us in this House, although I've heard that they might be bringing in closure on that tomorrow. I'm sincerely hoping that doesn't happen, because a number of our members have important things to say about that particular bill. But in this bill as well,

you'll note in the accompanying document that there are more changes to the Ontario Water Resources Act, I believe it is, that are, again, if you look at it, just smoke and mirrors. It doesn't address the kinds of issues that need to be addressed if we want to protect drinking water in Ontario.

I found this cut of 60% from the ministry in such a short period of time—for instance, in 1994-95, when the NDP left office, the annual budget for the environment was \$559 million. I can assure you—I was there at the time—I didn't think that was enough, given the aging infrastructure that we have. It's the industrial heart of Canada. With all of the industry and all of the pollution and all of the problems that were looming, we needed more resources. During the time of a very deep recession in this province, an NDP government continued to invest in the environment and make sure the resources and staff were there to at least do an adequate job. So as I said, and this again is all documented, in 1994-95 there was \$559 million. For the year 2000, after five years under this government's guiding hand, what they call leadership, the annual budget will be \$223 million.

This damning report that is before us today—and I advise the minister to not dismiss it as he did in question period today and as the ministers before him have done with every damning report that has come out since they came into office and started treating environmental protection as red tape and started cutting staff and the budgets. They have ignored and ignored and ignored and said that these people are wrong and they are right.

I want to say to the government that nobody believes them. Nobody believes you. They know that you have a lousy record on the environment and they want you to do something about it.

Hon Chris Stockwell (Minister of Labour): That's partisan.

1540

Ms Churley: You're darn right it's partisan. It's time to take the gloves off on this. I don't know if they've been off before but they're sure off now, because it's a disgrace when we get report after report coming like this that document very well all the areas of failure.

The cabinet document that the NDP released, shortly after Walkerton happened, said very clearly that less than 10% of all sources of pollution that are affecting our health and the environment in this province are being inspected. That's a fact. Sixty-five new staff, the so-called SWAT team, are not going to make a dent in that, and yet they get up and brag about it. That cabinet submission said that you needed up to 500 more hired back to do an adequate job, but they knew you weren't going to do that so they suggested a 139-member SWAT team, even then saying they'd have to pick and choose over some priority areas and there'd be a lot of areas left out. But what did this government do? They came back with a SWAT team of, what was it, 35, 36? That's ridiculous. They're going to dress them up in little uniforms and put them in the car, call the press and say,

"Come out for a photo op," slap a fine on somebody and that's the end of it.

In closing, because my leader and another member want to speak to this resolution today, I'm going to come back to the stiffer penalties act that we're debating. I'm going to say again today to the minister, and I'm sure we'll have another opportunity to get into this, there are some very serious problems with that bill. He is actually weakening the bill by taking out a clause, a very powerful clause that his predecessor put in—or one of them, anyway, out of the five ministers you had.

Interjection.

Ms Churley: Was it only four?

There was a time when CEOs could have administrative penalties imposed on them. That was very important if it showed that they were failing to protect the environment. This government took it out. That's why we're not supporting this bill, by the way, because they are actually making it weaker; that's a fact. Plus the fact that a Supreme Court decision recently now allows corporations to claim for income tax purposes any fines that they get. On top of that, we already have pretty stiff fines here in Ontario and this government isn't doing the inspections, they're not doing the prosecutions. There were 3,000 last year and only one prosecution. That's their record to date. This is all smoke and mirrors. They're actually weakening the existing law and talking about having the greatest penalties in all of Canada. It sounds so good except when you look at their record: they're already not enforcing the present law.

This is a very important resolution before us today and I hope that the minister is not going to get up and say the usual things he says in dismissing everything else that anybody else who has any knowledge about the environment says is wrong with your government. The way you're treating the environment, as red tape, and the damage that your cuts and deregulations, through the Red Tape Commission, have been making has got to change. There's got to be a turning point. This is the time to do it, Mr Minister.

Hon Dan Newman (Minister of the Environment): I am pleased to stand before my colleagues in the Legislature to speak to this motion being debated this afternoon. As the Minister of the Environment, I'm proud of our accomplishments as a government, whether it's land, water or air. The Mike Harris government has taken a leadership role in protecting the environment for this generation, for our children and for our children's children. But since this motion from the member for St Catharines deals primarily with water, I'd like to deal with that first.

No discussion of water today is complete without talking about the events in Walkerton. We did react quickly. From the beginning our commitment has been to provide immediate support to the community. That support continues, but we're also working closely with the community and others to ensure the return of safe drinking water to the people of Walkerton.

It would have been my hope that the member from St Catharines and his party would have joined with us from the beginning to work together.

Along with all members of this House, we support the public inquiry just started by Mr Justice Dennis O'Connor and we await his findings and his recommendations. But we are not waiting for His Honour's report to act.

Even before the events in Walkerton, the province of Ontario was taking steps to protect our drinking water from source to tap. Other members will speak in more detail about various aspects of Operation Clean Water, which focuses province-wide efforts to improve water quality and delivery. But let me touch on just a few items and some other measures we've taken to ensure clean, safe water in Ontario.

This past spring we started work on the provincial groundwater monitoring network in co-operation with Conservation Ontario, its member authorities and municipalities across the province. This will give us a more accurate picture in order to make decisions about this very precious resource. The network is the first part of a far-reaching provincial groundwater strategy that is currently under development. That strategy builds on important work that's already been done. Under the provincial water protection fund, introduced in 1997, we have provided funding for 34 groundwater management studies covering roughly 120 municipalities across the province. The fund also provided funding for more than 85 projects to improve water and waste water treatment facilities in Ontario. Support for both groundwater studies and improvements to our water treatment infrastructure continue to be available through the SuperBuild initiative headed by my colleague the Minister of Finance.

We've also introduced unprecedented new requirements for the facilities which provide most of our province's drinking water. A key part of Operation Clean Water is Ontario's drinking water protection regulation, which applies to all municipal and other large water systems in the province. For the first time ever, Ontario has water quality standards, as well as testing and reporting requirements, that have real teeth. They have the force of law, and I am very proud of this. It should be noted that the standards go beyond previous objectives and introduce more health-related parameters that must be met. The regulation also ensures that Ontarians will also have access to more information than they've ever had regarding the state of their drinking water. This point is well worth repeating: it is their drinking water. The people of Ontario have a lot at stake when it comes to protecting air, water and land. This point is not lost on the Ontario government, or me as minister.

We have introduced bold new initiatives to help protect the environment. We have brought in many high-quality initiatives like the anti-smog Action Plan, Drive Clean, tough landfill standards, the climate change fund, the Waste Diversion Organization, the most stringent hazardous waste regulation in the province's history, the provincial water protection fund, Operation Clean Water,

the drinking water protection regulation, and the list goes on.

But we are taking it one step further: we are backing our strong actions with strong enforcement. We are doing this with the major offensive against law-breaking polluters that I announced on September 21. This is a twofold offensive, including an environmental SWAT team and the introduction of a bill which incorporates the toughest penalties in Canada for major pollution offences. Both of these initiatives were promised by our government during last year's election campaign.

We are moving in on the small group of companies and individuals who would sacrifice the environment for their own gain. The SWAT team will be a new group of environmental officers with an innovative approach to identifying new and emerging problems, a group with a mandate to act quickly and effectively. The team will be very strategic and mobile. The ministry will be able to quickly deploy SWAT to address immediate threats to our environment. The SWAT field units will be able to draw on the broader resources of the Ministry of the Environment while staying on the front lines. The team will complement ministry district staff, who will continue to conduct inspections and respond to pollution reports. Its members will be able to focus on targeted sources, sectors or areas of concern, and they will be able to conduct inspections and follow up on them.

One point I would like to make here is that in 2000-01 the Ministry of the Environment's staff will increase, with 65 new positions created for SWAT, not the number reported by the member for Toronto-Danforth.

As I said, we are also ensuring compliance with environmental laws through the introduction of a bill that would bring in the highest fines and the longest prison sentences in the country for major environmental offences. If passed, the toughest penalties bill would increase the maximum fine for a first conviction of a major offence for a corporation from \$1 million to \$6 million per day, and for a subsequent conviction from \$2 million to \$10 million per day. It would increase the maximum fine for the first conviction of a major offence for an individual from \$100,000 to \$4 million per day, and for subsequent convictions from \$200,000 to \$6 million per day. It would increase the maximum jail terms for a person convicted of a major offence from two years to five years. It would increase the administrative penalties from \$5,000 to \$10,000 per day.

This is the first bill that I have introduced as a cabinet minister, and it's a bill that I'm very proud of.

1550

That's not all. On June 16, the government announced it had retained the services of Valerie Gibbons, a top public sector management expert, to assist in improving the ministry's environmental protection efforts. Ms Gibbons and her team are identifying the best environmental health and safety practices for the protection of water, land and air. They're also applying their expertise to the full range of Ministry of the Environment activities and functions and are making recommendations on im-

provements to the ministry's operations and on the implementation of best practices.

The activities of the past several months have been focused on supporting the people of Walkerton and ensuring the return of a clean, safe, reliable supply of drinking water. Along with all members of this Legislative Assembly, I salute the people of that town for their courage in meeting this very difficult situation and continuing to show strength and incredible community spirit in the face of such adversity.

Much has already been done, and much more is on the way. We're going to ensure that from source to tap, Ontario residents are able to enjoy a water supply that is second to none.

Mr Gerry Phillips (Scarborough-Agincourt): I am pleased to speak in favour of our motion dealing with the whole issue of the environment, particularly with water.

I heard the Premier, the other day, say something to the effect that, "Well, it's easy to criticize in hindsight." But let me just say to the public, and to all of us, that this isn't criticism based on hindsight. In October 1996, almost exactly four years ago, the Provincial Auditor, the person the taxpayers pay several million dollars a year to be an independent watchdog, to give us and the public advice on problems that the auditor sees and recommendations on how to solve them, was extremely clear to all of us here about the problems that we were heading toward with groundwater, and begged the government to take some steps.

This wasn't looking back in hindsight at Walkerton and saying, "None of us saw it coming." Our independent auditor saw it coming and begged the government to take steps. This report is filled with things now that, in hindsight, if the government had paid attention, may have been different.

The auditor points out that there are eight aquifer maps currently available in the ministry, but they all were developed before the 1980s and cover only a small part of Ontario. The auditor went on to say, "We noted that groundwater was not monitored systematically throughout the province." He noted that the study was carried out in 1991 and 1992 and not done again. That 1992 study showed that, in all these wells that were tested, 31% exceeded the maximum acceptable limits. The auditor went on to point out that in one of the towns in Ontario in the early 1990s, 74 wells were contaminated because of runoff, not unlike what happened in Walkerton. He said, "However, the network has been discontinued, and the ministry has not developed an alternative approach to systematically monitoring groundwater quality."

The auditor, in 1996, told the government, "You're heading for problems," and quoted some of the problems that are eerily very similar to Walkerton's. What does the government say? "Oh, well, we are doing a review and we are developing an overall groundwater management strategy." Essentially the government just said, "We're doing this. Go away."

Fortunately, the auditor does follow up to find out whether the government had done what the government

said it was going to do. In October 1998, two years after this first report, the auditor went back to the ministry and said, "Listen, I told you about these problems that were coming, I told you that you were not doing an adequate job, and I told you that you had to take action. You promised you would take action. Now tell me, what have you done?" You remember I quoted from the 1996 auditor's report about the need for this aquifer update. What did the auditor say in 1998, two years after he begged them to take action? "The aquifer maps have not been updated"—nothing done about that.

You remember the government said, "We're going to prepare a groundwater management strategy." What that really means is a plan for dealing with some of the extremely serious situations that can occur when there's a significant downfall of rain either near factories or, as it turns out, I gather from preliminary information in Walkerton, on a farm where there can be a serious runoff of materials that can infect wells. The government promised it was doing this groundwater management strategy. There's one sentence here: "As of June 1998, a groundwater strategy had yet to be finalized."

My leader, Dalton McGuinty, just last week was able to secure a recent cabinet document, here in the year 2000. In 1996 they said they would do something; two years later, in 1998, nothing done; two years later, the cabinet document. There was a background analysis done on the situation and then when it got to the page where it said "Action Plan"—this is what the government was going to do—the page was blank in the information we received in this cabinet document.

So I say to all of us that Walkerton didn't come out of the blue. The Provincial Auditor, paid for by the taxpayers, who is independent and reports to the Legislature, is the person we should be listening to. The government promised the auditor to take action in 1996 and did nothing. The government promised the auditor to take action in 1998; again, the auditor found that nothing had been done. You can understand why people are pointing fingers and saying Walkerton was not something that simply happened as an isolated case with no possible warning, just came as one unique situation. Nothing could be clearer than the Provincial Auditor's report about the problem that we were about to face.

The auditor, to his credit and to the staff's credit, pointed out some of the extremely dangerous things that could happen without action by the government and talked about the danger of contaminated wells, the danger to human life and clearly the enormous cost. When we were bringing this resolution forward, the Premier was saying, "It's easy for anyone to look in the rear-view mirror and criticize." The auditor wasn't looking in the rear-view mirror; the auditor had his eyes focused way ahead. The government promised action and didn't act. I think you're going to be held accountable and I think you should be held accountable for that lack of action.

Then what we find is—I think it was in the paper today actually—that in response to all of this, here's what another independent environmental group says—this is

the Fifth Year Report by the Canadian Institute for Environmental Law and Policy—"It's more bluster, it's all sizzle and no steak, in terms of the action by the government. The auditor pointed that out to us all four years ago, the government ignored it and now we have the situation that we're dealing with."

1600

Mr Gilles Bisson (Timmins-James Bay): I was most intrigued and amused by the comments by the Minister of the Environment when he talked about how proud he and all the government members were about the record of the government on the environment. I thought, it takes a lot of gall for somebody to walk into the House and say something like that, considering that if this government has failed on a number of fronts, one place that stands out like a sore thumb is the issue of the environment.

Since coming to power in 1995, they have declared war on anything that stands in the way of companies doing business in the province of Ontario by way of regulation, and they have undone much of the positive and progressive environmental legislation and regulation that, quite frankly, were in place to protect people from issues such as Walkerton, to protect people from atrocities or accidents within the environment.

For the Minister of the Environment to walk into the House and all of a sudden say how proud he was, and how proud he is, of that record tells me it doesn't take him very much to get excited, it doesn't take him a lot to get proud on anything. It goes to show that basically he's proud about nothing because the facts are that first of all we've got to remember what happened here. The government came to power back in 1995. It came specifically to the path that will lead from Walkerton back to the cabinet and to Mike Harris and his government, fairly well demonstrated. The government came to power and one of the first things they did was to say that municipalities no longer had any provincial labs to send their water testing to. They closed the four provincial labs that did that. The second thing they went out and did was to make no requirement on municipalities to even have this testing done. The third thing they did was give municipalities eight weeks to find an alternative place to do their water testing.

There were a number of events that unfolded that point back to the government in what happened to Walkerton. And for the government to stand up in this place and to say how proud they are of the work they've done to protect people from environmental disasters—I would say it's their record, unfortunately, that will be proven to be the one that goes back to demonstrate what happened at Walkerton was a cause and effect of the policies of this government.

I remember that they came in here with red tape bills. Back then they didn't call them red tape bills; they called them omnibus bills. Well, the former Speaker couldn't say "omnibus," so he said, "onimous," "anonymous" or whatever it was, but we all know what he was talking about, that they were "obnibus" bills—now I'm doing like the former Speaker did; this is pretty bad. But

anyway, they came in by way of Bill 26, I believe it was, the omnibus bill, and by way of red tape, and they undid much of the environmental legislation that stood on the books in this province.

What bothers me, and I've spoken about this before, is that the government did this without recognizing where that legislation came from, why those regulations were put in place, what the rationale was of members of this assembly and former cabinets of this assembly in the past and why they put those in place.

I'm going to give you one very small example—and I talked about this the other day—the question of the Hagersville tire fire. If we remember, back in 1988 or 1989, somewhere in that time period, there was a huge tire fire in Hagersville. You'll remember, Mr Speaker, because it's not far from where you come from. At the time it was allowed, by way of regulation and legislation, for people who dumped tires to contain them in one huge site, not thinking about what the danger would be if there was a fire and the oils and whatever that come out from the melting of rubber were to get into the groundwater, where the danger is. The history is that the fire happened.

As a result of that fire, the government of the day came to this House, supported by New Democrats and Conservatives, and made changes to the environmental legislation, and also enacted regulations under that legislation, to limit the ability of people to dispose of tires in the way it was done in the past. Why? Because when we looked at what happened, there were not sufficient laws or regulations in place to protect the public from those types of catastrophes happening in the future. So the government in the past made changes, and we did them at the time because we wanted to protect the public from the type of atrocity or the type of damage we saw in Hagersville.

This government was elected in 1995 and forgot the history of this province, forgot how it was that legislation came to be put in place, and said, "We're smart, we're Tories." Bang, legislation gone. Next, boom, another piece of legislation gone. In the first three years in power of Mike Harris, legislation flew off the books in this province quicker than we've seen legislation go in at any time in the history of this Legislature.

I remember the members of the government standing up at the time and being so proud of how they were getting rid of all this legislation, because, after all, they all knew that stood in the way of the province being able to develop its economy and got in the way of progress. They forgot that you have to have rules in a province, you have to have rules in a nation to make sure we balance the need of somebody to make money against the interests of the community when it comes to having a safe environment.

This government, without having any regard for what happened in the past, without any regard for the consequences of their actions, basically did away with all that legislation. No wonder we had Walkerton happen. Frankly, we had Walkerton happen because this government made a number of changes that were basically

part of the links that made this happen. So I say to the government across the way, you don't have a record to be proud of.

The other things we haven't talked about too much in this House are some of the other changes the government made that didn't necessarily lead to Walkerton but certainly are going to lead to other problems in the future, and I'll predict that here. One of those things is that when the government came in, they made a 60% cut in funding to the Ministry of the Environment, when you look at the capital budget and the operating budget. The members across the way shake their heads and say, "No, we didn't do that." Yes, you did.

There were in place capital dollars in the Ministry of the Environment through the Clean Water Agency to help municipalities build water and sewage treatment plants, plus there were operating budgets within the ministry to have the people in place to make sure permits were being followed and that we policed what was happening out there when it came to the possibility of people not following the legislation of the day. This government cut by 60% the funding at the Ministry of the Environment when you fold in the capital dollars that were taken out. In addition, they laid off over 1,000 people in the Ministry of the Environment. Then they wonder why Walkerton happened?

Walkerton happened because when the lab—the private lab, in this case—found there was a problem, they reported it to the ministry, but there was nobody there. There was nobody at the Ministry of the Environment to respond to what was coming in from the private lab in regard to the dangers of what was happening when it came to E coli contamination at Walkerton. If memory serves me correctly, there were two such reports from the private lab that were not followed up on.

So I say to the government across the way, not only did you get rid of the environmental legislation and regulations, but you went in after and got rid of 60% of the budget that was earmarked for the environment and, on top of that, got rid of 1,000 staff. You say, "What does that have to do with it?" I'll tell you.

I had an opportunity to meet with some environment ministry people about four weeks ago. In that meeting I asked them, "One of the things your ministry is responsible for doing is monitoring the discharge from plants across this province into the environment." In other words, if you're running a mine or a mill of any type, and you're discharging any kind of fluids outside your operation, what is being discharged out of the pipe and where it's being discharged to have to be verified every quarter by way of a test and have to be reported to the Ministry of the Environment.

The Ministry of the Environment is now collecting those tests, but they're backlogged eight months. This means that if they went out on January 1 and found there was a problem within mining company X or plant Y, and something was being discharged that was toxic to the environment, there would be no way of knowing that until fully eight months after the test had been taken, because

they're eight months backlogged in processing the results of those tests. When you factor in that it's done every quarter, a company, without knowing—I'm not arguing they are doing this on purpose—could be discharging toxics into the environment up to a year before the ministry would even know. I say to you that's unacceptable.

1610

I would argue that it's in the best interests of most companies, especially the bigger ones these days, to operate a safe and efficient plant that respects the environment, because hopefully we've gone past the bad old days of the old corporate polluters and they want to keep their image up. I don't think too many companies out there, especially the larger ones, want to be seen as polluting the environment, but even if they didn't know, there would be no way of picking it up for up to a year because the government has got rid of the inspectors out there doing the work. They've laid off 1,000 staff at the ministry and they don't necessarily have the people to watch what's going on when it comes to the environment.

It would be the same as going into a municipality and saying, "You currently have 500 police officers and you have X amount of crime in your community. We're going to get rid of half of your police officers." What do you think is going to happen? The criminals are going to have a field day because they know there wouldn't be the police officers there to deter the crime from happening, and when it does happen there would be nobody there to catch them and to prosecute them. It's a bad enough problem we have now without having to eliminate the number of police officers in this province. That's akin to what you've done at the Ministry of the Environment. I say to the government across the way, that's another one waiting to happen when it comes to a disaster in the environment.

Mark my words: I'm saying today, on October 23, 2000, in the Legislature that we are going to have a discharge into the environment on the part of some corporate polluter out there and nobody's going to know until a year after that pollution has been let out into the environment. There's no way anybody is going to know until then because of the cuts you've made at the ministry and that you refuse to this point to go back on.

The Provincial Auditor pointed it out in reports to you dating back to I believe 1997, possibly even 1996. The Provincial Auditor was pointing to the problem happening because the ministry didn't have staff and what that meant to making sure that existing legislation was being followed. I say to the government across the way that it's a disaster waiting to happen.

In the mining sector it's even worse, because they've made changes to the Mining Act. It used to be before the changes to the Mining Act were made that every mine had to put in place a closure plan. The closure plan had to be financed so that if the mine goes under—in other words, it goes bankrupt and it has no more money or they run out of ore—and the company doesn't rehabilitate the

land that it was operating on, there would be a pool of money there for the crown to go back to, to make sure we're able to do the rest of the work on the site to restore the site as closely as possible to its previous condition.

I'll give you an example of how well that legislation works. The Detour Lake mine is about 80 miles southeast of Moosonee. That particular mine closed about six or eight months ago. It ran out of ore. Unfortunately, many people lost their jobs, but such is the nature of mining, what happens when these mines lack ore. But that's for another debate. What's happened under the Mining Act and under the closure plan is that Placer Dome is having to rehabilitate that entire site to as close to its former condition as possible. They're going through and doing that process. I'll ask anybody to travel up to where Detour Lake mine is now and then to return in two years' time. You will not know, other than if you had been there before, that there was even an operating mine in the place, because of the way they're rehabilitating it.

Under the changes you've made to the Mining Act, you're making these companies now self-assure themselves. Placer Dome is caught under the old legislation, which is that they had to put in place a closure plan when that mine was started up and they had to make financial assurances that they had the money to do that. But if you had a new mine created today and that company went under, under the current Mining Act and changes that you made by way of the red tape bills, you would find yourself in a position where if that company decided to not follow its obligation, guess who's caught paying the bill? We, the taxpayers. We see that every day in mining companies.

For example, I went to the Minister of Northern Development and Mines two years ago and secured, along with him and Rick Bisson, the municipal councillor for the city of Timmins, and Vic Power and the entire council, money to do reclamation work at the Kam Kotia mine. The taxpayers had to pay the bill because that former company skedaddled out of the country when it closed down and we were left with an environmental mess. It took about a year to put it together, but we finally got the dollars by way of the Minister of Northern Development and Mines. That came out of the taxpayers' pockets to fix this.

So I argue, why did you make the changes to the legislation? Why would the province put itself in a position of having to foot the bill when clearly it's a cost of doing business? If you damage the environment by way of the operation you've got, you should put in place the money that you need in order to put things back to where they were, and if you can't do that, maybe the project is not worth doing.

The other thing I want to get an opportunity to say, because it's related to the environment, is that there was a very good decision finally on the Adams mine this last weekend. We know that when this issue went to debate, the New Democrats at Toronto city council were pointing out time and time again that there were clauses in the deal that Notre Development wanted the city to sign. The

clauses said the city was on the hook for whatever damages there may be when it comes to the environment; it wouldn't be the operator of the program. Mayor Mel Lastman forced that resolution through anyway, forced the vote so that they could go ahead and conclude the deal with the developer in order to get garbage into the Adams mine. But at the end of the day, the developer was not willing to take that clause out, and as a result, that deal is now dead.

I want to say hooray, hooray. It's about time. I'll tell you, if garbage had been coming into northern Ontario, into that mine, we would have been in an awful position down the road when that thing stopped operating as far as when the plant had been finished and they would have filled that hole up with garbage. We would have been sitting on top of an aquifer, and you can imagine what those leachates would have done to the groundwater in the area. So I want to say that one turned out quite well.

The thing I found interesting when I listened to CBC this morning on the way down from Timmins is that there was somebody on the radio—I think it was somebody from the provincial government; it might have been the municipal government—who was making comments about, "Oh no, now we can't allow this to go because we're going to be sending garbage by way of the 401 down to Windsor." I say yes, probably a good reason not to, but why is it that all of a sudden people are concerned now that garbage is being shipped south? All of a sudden there's a huge hue and cry from certain individuals where there wasn't when it was being sent up north.

It only tells me we've got a problem, and the problem is that this provincial government is not taking a leadership role when it comes to developing policies that get municipalities to deal with their garbage crises within their own boundaries. Why is it that the city of Toronto is allowed to go ahead and not do the kinds of things that it's doing when it comes to having to put in place programs that basically take garbage out of the stream so that we can reduce our reliance on landfill sites? I say the government is going to have to take some initiative on that.

With that, I'd like to thank you for the opportunity to have time in this debate.

Mr Toby Barrett (Haldimand-Norfolk-Brant): As part of this resolution we're debating today there is a proposal for the preparation of a groundwater strategy. That's a good idea.

Interjection: An excellent idea.

Mr Barrett: It's an excellent idea, as my seatmates are indicating. This idea is so good that in fact we're already doing it. We're putting much effort toward the goal of ensuring high-quality, sustainable groundwater for generations to come.

To say that groundwater is a valuable resource for communities across the province is an understatement. It's absolutely essential to the health and well-being of Ontarians and it is one of the foundations for healthy and prosperous communities. These are the beliefs of the On-

tario government and of my colleagues on this side of the House.

It follows quite naturally that we recognize the need to protect groundwater and monitor its uses. We have taken bold steps on many fronts to protect Ontario's groundwater resources.

The members may recall on May 8, during Groundwater Awareness Week, we were acting. On that date, Ontario's Minister of the Environment, the Honourable Dan Newman, announced the creation of a groundwater monitoring network for Ontario. We are working with municipal partners and conservation authorities in the development of this network.

To begin with, we're providing \$6 million over three years for monitoring in 38 key watersheds. This includes an allocation of \$3.6 million for the fiscal year 2000-01. The network will help establish an effective water management and drought response strategy in order to ensure the sustainability of Ontario's water resources. Over the next three years, we'll be working with both our municipal and conservation authority partners to install more than 350 electronic monitors. These monitors will measure groundwater levels across the province.

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For the benefit of my colleagues in the House, I would like to make explicit our intentions by quoting from Minister Newman's announcement when he announced the groundwater monitoring network: "Protecting Ontario's water is a top priority for this government. We need sound information about the quality and the quantity of our groundwater supplies to be able to make decisions about how best to protect them. All Ontarians, in one way or another, depend on the sustainability of our groundwater. This initiative will help preserve one of our province's greatest resources."

I add that our efforts have been recognized and appreciated. Allow me to quote Rick Potter, chair of Conservation Ontario: "The direction the Ontario government is taking in order to protect groundwater resources is encouraging. This partnership is a positive step toward establishing an effective water management strategy and we, on behalf of Ontario's 38 conservation authorities, are pleased to be part of it."

Clearly, we are moving in the right direction to create a groundwater monitoring network. However, this is just one of a number of initiatives we're taking in this important area. Our actions do not end there when we talk about our commitment to protect our groundwater. For example, the PWPF, the provincial water protection fund, was introduced in 1997 and has assisted dozens of municipalities to undertake crucial groundwater management studies. A total of 34 groundwater studies involving over 120 municipalities have been approved, with a ministry funding commitment of \$4.3 million.

The fund provided funding for a number of types of studies. A few examples are groundwater resource assessment, to identify and assess key groundwater areas, and contamination assessment, to identify and assess the sources of contamination to aquifers that supply muni-

cipalities with water for drinking and other uses. Another initiative is groundwater management and protection measures. Incorporated into management plans, these measures deal with land use, watershed stewardship and other important issues. Monitoring these measures will ensure the continued long-term protection and management of municipal groundwater for drinking and other uses.

We are continuing to provide support for these important studies under the Ontario small town and rural development initiative, also known as OSTAR, which members know is a SuperBuild initiative first announced in the May 2000 provincial budget.

I would now like to turn to another key initiative of this government, the water-taking and water transfer regulation, which came into effect on April 30, 1999. This, some may recall, is the regulation that prohibits the transfer of water from water basins, for example, the Great Lakes-St Lawrence basin and the Hudson Bay basin. The regulation also tightens requirements for the issuing of permits to take water from Ontario waterways.

Before continuing, I would like to take a moment to point out that currently the Ontario Water Resources Act does not allow the granting of a permit that would interfere with existing uses. This has not changed. Also, the ministry's permit to take water program, the PTTW, is designed to prevent water taking from interfering with existing users of both ground and surface water. But that's not the only consideration. Applications are carefully reviewed, not only to prevent interference but also to ensure that proposed water taking is sustainable and will have no adverse effect on the environment.

Last year, the Ministry of the Environment improved its procedures for reviewing permits to take both ground and surface water. They were also involved in holding a series of focus discussion groups with stakeholders around addressing low-water issues. As a result, applications are now subjected to increased scrutiny and will only be approved where the sustainability of the resource can be assured. As an example, during the summer of 1999, the issuance of permits was curtailed in light of the anticipated drought. We placed conditions on permits to take water, which may include the restriction that takers may not withdraw more than 10% of stream flow, in order to protect the natural stream functions.

For intensely farmed regions in Ontario, the ministry has encouraged the farm community to consider off-line pond storage in order to take water into storage at less critical times during the year. We have also imposed conditions that require permit holders to gauge the available stream flow in order to comply with permit conditions.

With the water-taking and water transfer regulation, the Ontario government has shown international leadership on the issue of water taking and how our surface and groundwater resources are used. Under this regulation, Ministry of the Environment directors must take the following factors into account when reviewing permit to take water applications: protection of the natural functions of the ecosystems, effects of ground and sur-

face water taking on other source uses, interests of others in the permit to take water and, finally, the Great Lakes Charter.

The resolution before the House today also refers to budget and staff levels, and I would like to set part of the record straight. Over the past decade there have been many changes to the ministry's programs, but a focus on compliance has always been maintained. It's important to take a look at some of the historical trends to see the functions that have been retained and how, as programs changed, staff numbers and functions have also changed. It's very important that we know these facts.

The Ministry of the Environment, as I think we all realize, now focuses on policy, standard setting, compliance and enforcement. In 1994-95, staff dedicated to compliance comprised 40% of the workforce. Today compliance staff make up 49% of the workforce. Enforcement staff comprised 4% of the workforce in 1994-95. Today they make up 6%.

One thing I want to make very clear, and I stress this: no investigators in the Ministry of the Environment field offices were reduced. There were 44 investigators in 1995; there are 44 investigators today. Some reductions have been made. In 1995 the ministry provided funding to municipalities and others under the 3Rs and the blue box strategies to build the infrastructure that today enables almost 40% diversion of municipal solid waste. This was funded by subsidies which, at the time, required 73 staff to administer. Today the waste diversion organization, the WDO, which was created by former Minister Clement on November 3 last year, is in charge and is undertaking its activities with \$14 million initially from the LCBO and the private sector. Subsidies for the 3Rs and other programs, such as grants for energy efficiency and environmental groups, had climbed to \$130 million by 1995-96, not counting water and sewage grants.

If time permitted, I could run through additional explanations of both the ministry's budget and the ministry staffing level, but I think it's clear to all honourable members in this House that our government takes very seriously our responsibility to protect Ontario's water resources. We are acting on this responsibility with the development of a comprehensive groundwater protection strategy. As I mentioned, our goal is high-quality, sustainable groundwater for generations to come.

1630

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm very privileged to stand in the House today and speak to the motion that's been brought forward by the member for St Catharines.

I have to say that I was rather amused when the government member for Haldimand-Norfolk-Brant stood up and one of his first comments to the motion on the floor was, "We are already doing it." If you read the preamble to the motion, it says that this House recognizes the government has been ignoring repeated warnings about water safety from the Provincial Auditor and the

Environmental Commissioner. I would agree with the member that, yes, you are ignoring the warnings that you've been receiving from these two arm's-length agencies. I would suggest that really isn't anything to boast about.

We hear from the member for Haldimand-Norfolk-Brant that this government is moving forward in the development of a provincial groundwater strategy. My question to the government: so what else is new since 1996 when your government first made that commitment? We are a full four years later. There has been a serious tragedy that has occurred in this province as a result of your lack of movement in this area, something that I think is shameful. You stand in this House to suggest to the people of Ontario that you're doing something. You made that commitment in 1996 when the Provincial Auditor said that this is an area of serious concern and, to date, there is nothing in writing that says this is the plan that we have in place.

I just had passed to me from my colleague from Samia-Lambton, who makes it a point of being very well read on issues that impact our environment, a very interesting document she has received from the Canadian Institute for Environmental Law and Policy. I'm just going to quote one section of this document that I think is very applicable to the debate we are having this afternoon: July 3, 1999, so this is reasonably recent information. Maybe I better just frame this and indicate that when we talk about groundwater strategy we're talking about understanding first of all the resource that we have and how much of it we have and how it's being used, how it's being taxed and then, following that, how it's being protected.

So, initially, with regard to the amount of water that we have and how it's being used, Ministry of the Environment figures show that the ministry approved 18 billion litres of water a year to be drained by commercial bottlers, free of charge, from Ontario's water supply. The Minister of the Environment has given permission for 18 billion litres of our water to leave our province.

Mr George Smitherman (Toronto Centre-Rosedale): How much?

Mrs Dombrowsky: Eighteen billion. It is reported that the Ministry of the Environment has issued 48 free permits that grant long-term access. This gets more frightening as I read along. These are long-term access permits. Now, long-term permits are for 10 years or more, so there's going to be attacks to our provincial water supply for a period of at least 10 years or more.

The Minister of the Environment insists that the water resources in the province are being managed well. However, concerns of drought this year and low water tables prompted the Ministry of the Environment to announce that the government will no longer issue automatic permits. Up until this summer, when there was a crisis with regard to water levels provincially, permits were issued automatically. So when members of the government stand and suggest to this House that they take our water resources seriously and are doing all they

can within their power to manage them responsibly, it has only been this summer that they decided it might not be a good idea to simply issue a permit automatically.

Ms Caroline Di Cocco (Sarnia-Lambton): Shocking.

Mrs Dombrowsky: It certainly is shocking, my colleague would say, and most disturbing.

When I hear the kind of presentation that the member from Haldimand-Norfolk-Brant, with regard to the water-taking permits, has presented: "Well, you know, we've insisted that these people who have the permits monitor the stream to make sure they don't take any more than 10% of the total flow," the people of Ontario need to understand that the very people who have asked for permission to use our resource are the same people who are put in charge of monitoring the flow. It's not up to the Ministry of the Environment to do that monitoring. The person who actually depends on the permit is the one who's going to report to the ministry whether or not the flow is sufficient.

I don't know about you, but that's some cold comfort for me, particularly if I am to understand that the permit holder has some financial stake in whether or not that permit is sustained.

Ms Di Cocco: The fox in the henhouse.

Mrs Dombrowsky: Yes, the fox in the henhouse theory.

So when I hear members from the government talk about the priority that this government has given environmental issues, it's certainly already in the motion brought forward by my colleague from St Catharines: this House recognizes that the government has drastically slashed funds and fired staff at the Ministry of the Environment.

I would suggest, and it's been presented to me on many occasions, that if you really want to come to understand the priorities of an individual or the priorities of a company or a business, look at where they spend their money. This government has chosen to reduce the amount of money it spends in total on our environment, and I would suggest that we, as a province, are paying a very dear price for that sad shift in priority.

Interjection.

Mrs Dombrowsky: Very sad indeed.

The government has indicated that it is working on a provincial groundwater strategy. It has been doing that since 1996, so, understandably, many people on this side of the House and many people throughout the province of Ontario continue to be very concerned. There's a real question about when, if ever. We hear some wonderful plans but we don't hear any commitment in terms of, "This is when we will be bringing it forward." Since we've been hearing this since 1996, I think that there's some very justifiable question around whether we will ever see a groundwater strategy come from this government. Certainly, more is the pity.

Just last week there was an opportunity when the government could have shown that it certainly was interested in taking a step toward the establishment of that strategy when Bill 121 was debated here last Thursday, a bill that

would have required that a director from the Ministry of the Environment notify municipalities and conservation authorities when permits to take water are issued in their community. It's certainly not what one would describe as a comprehensive strategy, but what many stakeholders within the province saw as a very reasonable and supportable first step in comprehensive groundwater management.

The Association of Municipalities of Ontario has petitioned the minister to move on this. He didn't, and the government didn't last week. Conservation authorities from across the province supported this initiative. One hundred and sixty-seven municipalities supported this initiative, and yet members from the government had the nerve to stand up here and say, "We don't need to support it because it's already being done." Why did many conservation authorities, why did many individuals say, "This would be a good first step," if it was already being done?

That's pretty frightening to me, actually, when I hear members of the government present that and present it as if it were fact. If it were fact, then why did we hear from people who would ask that it would be implemented, if it were already happening?

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I didn't hear from members of the government any figures to support their statement. I did not hear from members of the government that, of all of the water-taking permits that had been lodged, these many actually had been followed through in that way, that these many municipalities had in fact been notified, that these many conservation authorities had been notified, so in fact this bill is redundant. No figures of that nature were presented. If that is in fact the case, I would love to get the record corrected. I would gladly stand corrected on that point.

I have to say that in my research municipalities would say they have not once been contacted about a permit to take water in their community. I've had conservation authorities share the same information with me. So I really have some question and I'm a little bit uncertain about how that presentation could have been made or why it would have been made.

With regard to the motion that's before us today, certainly I support what my colleague from St Catharines has brought to the floor for discussion and debate. I believe we need a groundwater strategy in this province immediately. We need to work toward it. There have been four lost years where there have been nothing but promises, unkept promises, on this very, very important issue. So I congratulate the member who brought the motion forward. This is an area of great importance to the people of Ontario, and I certainly hope the government will recognize its importance and take this opportunity to move forward this afternoon.

Mr Ted Chudleigh (Halton): It's a pleasure to stand today in the House and to talk about this motion that was brought forward by the member for St Catharines.

I'm pleased to have the opportunity to address the

resolution that has been put forward. I can assure the honourable member, and all the members of the Legislature, that we are firmly committed to the development of a strong set of safeguards for Ontario's environment.

You have heard about some of the initiatives that we are undertaking to ensure cleaner communities for all Ontarians. I would like to talk about one special group of Ontarians that we are committed to helping, and that's the people of Walkerton. They have endured a very difficult situation following the E coli outbreak in their water supply this past May. We have a responsibility to the victims and their families to get to the bottom of the problem. We will not rest until we do so. Our government is fully supportive of the work of the O'Connor commission, and we look forward to their results.

Right from the beginning of the events in Walkerton, the government has been active in that community with two key objectives: to provide support to the people of the city of Walkerton, and to restore clean, safe drinking water.

When it comes to providing necessary support, this has been a coordinated cross-government effort. The time that I have doesn't allow me to list all of the things the province has done, but here are some examples.

From the beginning, the Mike Harris government has provided additional physicians, emergency medical care and air transportation for the people of that area. We have supplied an on-site mental health team with on-call services. We have provided additional children's mental health services in recognition of the trauma faced by the people of Walkerton, particularly the young.

As the government moved from addressing the immediate crisis in Walkerton, we began to put in place the services and facilities necessary to help residents cope while the water system was being restored. Early on, we established the Ontario support centre to help meet the needs of the Walkerton residents. The centre's responsibilities include emergency relief for local businesses for all direct water-related expenses and overhead, working jointly to ensure an adequate supply of bottled water, and providing long-term recovery assistance to businesses through the Ministry of Economic Development and Trade.

Through the Ministry of the Attorney General, the government has provided a comprehensive package of compensation to individuals. The plan provides the same compensation that an applicant would receive through a successful lawsuit without waiting for the courts to determine who is at fault. The applicants who accept a compensation offer will immediately receive 100% of the compensation offered, and no one will be deducting commissions or fees from that settlement.

Through the Ministry of Finance and the Ministry of Municipal Affairs and Housing, the province has provided significant financial relief to the municipality of Brockton. This includes interest-free loans for legal and technical services to aid the municipality in restoring safe drinking water, to finance municipal operations and

allow the municipality to postpone property tax instalments and to allow the deferral of Brockton's payments to school boards.

We have also suspended monthly payments by Brockton to the province related to local services realignment, guaranteed that the municipality will not incur additional costs for policing services, and we have advanced the second, third and fourth quarter community reinvestment fund payments in one lump sum, and suspended payment deadlines for businesses for retail sales tax, corporate tax and the employer health tax—all for the people of that community.

In addition, the Ministry of Education guaranteed that students in the community finished their school year last year in June and that schools reopened on time this fall. We have also provided support for additional ground transportation and the installation of an alternative water supply in Walkerton schools.

It's clear that the government of Ontario's support to the people of Walkerton has been immediate, comprehensive and ongoing. In addition to this support, we've worked with the local municipalities and others to restore the community's water supply. These efforts have been led by the Ministry of the Environment and the Minister, the Honourable Dan Newman.

The work to restore the Walkerton water system has been impressive by any measure. It includes ordering house-to-house disinfection and the swabbing, disinfection and testing of Walkerton's water system; working with the Ontario Clean Water Agency to sample every house and building in the community; overseeing the replacement of over 4.6 kilometres of water mains; and continuing to work with the Ontario Clean Water Agency in the installation of an interim filtration system which should be in place very, very soon.

These efforts have been unprecedented, but they all have one goal in mind: the restoration of clean, safe drinking water for the people of Walkerton.

As I said earlier, we are all watching the work of Mr Justice O'Connor. His inquiry will tell us what happened in Walkerton and, most importantly, what we need to do to ensure that this never happens again anywhere in Ontario. It's clear this government hasn't waited, either to help the people of Walkerton or, as other members are telling us today, to restore province-wide confidence in the safety and quality of our drinking water.

There is a large number of people who visit Ontario parks from time to time during the summer, and I want to reassure them that we take the issue of safe drinking water for all of our guests and staff very seriously in Ontario parks. The practice of testing and re-testing water parks on a weekly basis is well established and has been in place and ongoing for decades. Ontario Parks has a long-standing and well developed public health program employing a classified public health policy officer and a seasonal environment sanitation inspector.

The program deals with drinking water quality, yes, but it also deals with the water quality of swimming areas, food preparation and handling areas, and the sani-

tation of park facilities. There has never been any reported outbreak of water-related illness in Ontario parks.

Ontario's regulations on how water should be tested and treated have changed to keep pace with new technologies. Ontario parks will meet this new standard and will continue to provide safe, clean drinking water for all of our visitors at some of the highest standards available in North America, or the world, for that matter. Work is underway, and we're following the monitoring requirements set out in the regulations, which means that weekly bacteriological testing will take place. Instant reporting of unacceptable test results to MOE and the local medical officer of health will take place. The immediate rectification of a problem, followed by a written confirmation that our staff have corrected the unacceptable test result, followed by an additional test to make sure the remedial action was effective.

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Ontario Parks has reviewed all water systems and has detailed, up-to-date blueprints which will pave the way for system upgrades and improvements. We have proceeded with chemical analysis of all Ontario Parks water systems. The Ontario Parks quarterly report is being completed as per the new guidelines. Ontario Parks is now working to bring all of our water systems into full compliance with all of these new and upgraded regulations.

We look forward to meeting this challenge and we will continue to provide the unforgettable natural experiences and unmatched level of service and safety our guests in Ontario parks have come to expect when they visit that most magnificent part of Ontario.

Mr Ernie Parsons (Prince Edward-Hastings): I'm also pleased to rise to support this bill. I recognize that this government has made commitments over the last few weeks to increase the testing and monitoring of our water. That's certainly commendable, although it would be more commendable if they also employed people to do the testing and to do the inspections. However, to me, the question isn't more tests. While the Titanic was sinking, they could have done all the tests they wanted to see if there was ice on board and it still wouldn't have remedied the situation. The challenge is to prevent the ship sinking or to prevent the water going bad.

Water is an extremely intriguing commodity here in Ontario; in fact, everywhere. We can determine how much natural gas we have in reserves and we can determine with some accuracy how much oil we have underground in reserves. It's measurable. It does not change other than the change brought about by our utilizing it. But water is a transient sort of item, in that the amount of water available subsurface changes profoundly from one year to the next. We talk about our weather, and engineers, of which I am one, design for one-in-100-year storms: the greatest amount of water that will occur once in 100 years. Except those storms can happen two days apart or they can happen 500 years apart. So we can't really determine with great accuracy what the quantity of water is that we possess. It's one item, in fact, that we

can't learn from history on, saying, "We had this much water in 1915, so we'll have this much now." It's an item that requires constant surveillance on the part of a government to determine what the status of the water is.

We have learned the hard way, unfortunately, that it's not inexhaustible. I've watched with some interest in the southern States, where they have seen their population grow while they have not had an increase in their natural resources, of course. In Florida they now have a greater requirement for water than actually exists within that state. We're seeing some reactions in that they purchase water, some of it from Ontario, some of it from within my community, to take to the US to use for drinking. They also continue to drill wells and pump groundwater out, but they're pumping it out at a greater rate than it's being replenished. They have a phenomenon called sinkholes down there, when you have this large underground cavern that's no longer filled with water—because water can't be compressed. As long as you've got water in the subsurface, it's going to hold whatever is above. In Florida they have what I'm sure is not amusing to a community, occasions when these empty sinkholes collapse and houses and buildings and highways and so forth fall down into them.

We know that our water situation has changed profoundly in Ontario with our increased population and with the changes in weather. All of us have stories about how much snow we used to have when we were growing up and how we had to walk through four feet of snow both ways to get to school and so forth. But the reality is, in the last few years we've had considerably less snow in southern Ontario than we've had in previous years. That snow in fact forms part of the groundwater resource that we don't have any longer.

Now we rely on rain, and this requires monitoring by the province because as we listen to how many inches of rain we've had—and I'm going to speak in imperial. I'm too old, I think, to be absolutely comfortable in metric. We've had more rain—

Mr Bisson: About 2.5 centimetres equals one inch.

Mr Parsons: Thank you very much to my colleague. I don't know what that is in real numbers.

We've had rain occurring, a lot of it over the past summer, that has caused a great deal of grief for farmers. Unfortunately, we tend to go through heavy rain and then drought, and heavy rain and drought. But even the way in which it rains is of profound interest, as to whether it comes quickly over about an hour and runs off the land or whether we have a slow, steady drizzle which goes into the land and forms our groundwater resource.

The protection of our groundwater isn't something that can be done simply by just the Ministry of the Environment. There are other ministries that cross over into this. I watch the number of houses that are being built in Ontario. Certainly, the houses themselves will have an increased demand on the water, but houses profoundly influence the groundwater in a number of ways. There are people who believe it's a good thing to put housing developments on the Oak Ridges, and believe that that

won't affect our groundwater. When you put a subdivision on an area such as the Oak Ridges, it has a number of influences on the water. First of all, the footprint occupied by that house is no longer available for the water to go into the ground. Then they construct lovely manicured lawns around the House. I take some pride in my lawn, but when you have just a superb, manicured lawn, what you have is an extremely tight-knit system of roots that does not allow the water to penetrate. Then we catch that water that can't get in where the house was and can't get in where the lawn was and we put it into a storm sewer system and we run it immediately away from the area, so that area isn't getting the benefit of it.

The Oak Ridges has a fabulous quality that we need for water and that is its ability to filter. Water when it enters the ground is not filtered by loam, it's not filtered by clay, but the best filter we can achieve for our groundwater is for it to pass through gravel deposits. The greater the depth and the greater the length of gravel deposit, the purer the water we will have coming from it. When the Minister of Municipal Affairs and Housing allows houses to be built overtop a massive gravel deposit, it influences the water available to this province, both the quantity and the quality, for a fantastic number of our residences. We need to deal with that. In fact, we need to deal with, in some areas, the permits that are being taken for gravel removal, because that gravel serves purposes other than being available to build highways.

If you're in Toronto, it is extremely easy to think that if we need more water we pump more out of Lake Ontario. But Lake Ontario comes from somewhere. It comes from the numerous streams and it comes from the numerous underground aquifers that drain into it. For rural people, water is an absolute lifeblood for them. A house or a farm in a rural municipality that does not have potable water available has a resale value of virtually zero.

This government has been quite free and easy in giving away water-taking permits. But the water-taking permit that is given is given without any ability on the part of the Ministry of the Environment to know what effect this permit is going to have on the groundwater. We don't know how much water is in our streams. We can't look in a book that shows the flow per hour for a certain stream five years ago, because that varies month to month and it varies year to year. The Ministry of the Environment obviously needs people to determine what is the existing resource of water, not as a one-time—don't bring in a group of people to do it now and determine what it is and say, "We now know how much water we have in Ontario," because it changes from day to day and from week to week. It requires constant surveillance, which is not now the case.

Even worse, the water-taking permits require no input from the citizens in that community who would be most affected by it. The member for Hastings-Frontenac-Lennox and Addington, with a private member's bill last week, was right to try to recognize the expertise that

exists in that community, to recognize what people know about that particular flow. Not all expertise exists in Toronto on rural affairs. The people in rural Ontario need to be given a voice on their water.

Some of the water-taking permits make perfect sense. Where the water is being taken into a plant for cooling purposes and returned, or being brought in for vegetable cleaning and then returned, makes a great deal of sense. Irrigation of a farm: to spray the water on the field, it returns extremely quickly to the groundwater.

The water-taking permits are not in themselves wrong. It's a matter that some of the permits are for water for export. As we are crying with distress about the effect of gasoline prices on our province and on industry, I would suggest to you that there will be a day when the price of water will be a critical factor. But money won't solve the problem once it's polluted.

1700

I am extremely pleased to support this motion that's before us today, because I believe it is long overdue for this government to recognize that their role is not just to test the water and tell us that it's not drinkable, but to protect the water up front to ensure that it is safe and clean for us and future generations. There cannot be growth in Ontario unless we can provide some assurance that we have safe, clean drinking water.

Mr John O'Toole (Durham): It's my pleasure to join the Liberal opposition day, as this isn't a bill we're debating; it's actually an opposition day resolution by Mr Bradley. With that, perhaps they are taking some issue with the bill that will be debated later tonight, Bill 124. But it is my opportunity to speak to the actions the government has taken to continue to ensure that everyone in Ontario has confidence in their drinking water, that this government is fully aware and fully committed to making sure that this is a given.

I think this whole debate today has been cast against the background story of the summer, the Walkerton issue. Clearly the Walkerton issue was a wake-up call for everyone. To think that the Walkerton issue just emerged this summer is to a great extent a bad place to start from, because I have an article here that was published by the Toronto Star, believe it or not, in October, in preparation for Justice O'Connor's inquiry.

In here they gave a fairly detailed chronology of what's happened over the years at that particular well, or a couple of wells. I'm quoting from the Toronto Star of October 16, "Problems identified in Walkerton's water system date back to 1978, when the well identified as a key factor in the outbreak went into operation." The article goes on—without boring those who might be listening—that there were a number of calls even prior to May from the water testing people and in fact from the medical officer of health. I think the inquiry will come out and very clearly identify that a number of things went wrong.

What our minister and the Premier did was introduce and launch Operation Clean Water. This is well underway. Operation Clean Water is our comprehensive

Action Plan to give Ontario residents the cleanest, safest drinking water in all of Canada, and arguably all the world. I also want to always keep in mind: let's demonstrate our commitment to this by looking at Walkerton as a model, as kind of an experiment, in saying as a government we were asked to take over this situation to some extent.

Here's what Mayor Dave Thomson said in the National Post of August 9 with respect to the regulations we introduced, "It's good news for all of Ontario. It's going to restore faith in the quality of water, so hopefully these tests will be a big benefit to everybody." Not to think that in any respect the mayor may or may not have the technical background to make those claims, here's Ken Ogilvie of the environmental watchdog group Pollution Probe, which is not known to always compliment this government—as it should be. They should stand and observe. He called the new law "a good piece of work because it transforms what are presently guidelines into legally binding standards." That's the Canadian Press, August 9. So we have it kind of from the front line, those people using and drinking and concerned about the water—that's Mayor Thomson—and we have it from Pollution Probe. I could go on and make much more of a testimonial here, but I have another part that I want to get to.

It's to assure you about the Walkerton experience. I think the best summary was at AMO, the Association of Municipalities of Ontario. The mayor of Brockton, Dave Thomson, said, "From day one, Premier (Mike) Harris, the Minister of Environment Dan Newman, the Attorney General (James Flaherty) and the Ontario support team have done whatever it takes to restore clean and safe water to the residents of Brockton." That's the Toronto Star, August 17, 2000.

We can look and we will learn from Justice O'Connor's hearings, and it's not to point blame. It's to go back to the fundamentals. It is to have the safest, cleanest drinking water in Ontario—not just Ontario but all of Canada.

Our continuing efforts to improve water quality and protect public safety include a number of separate initiatives, all coordinated under Operation Clean Water. These initiatives address a wide range of water management and environmental health issues. Protecting drinking water throughout Ontario is a key goal for Operation Clean Water. All members are aware of our tough new drinking water protection regulations.

We are consulting on the small waterworks and what they could and should do to provide and safeguard the drinking water they provide to the public. The consultation paper released in August invites Ontarians to provide ideas and comments on a number of questions that need to be answered in order to develop an effective approach for ensuring clean, safe water in all our waterworks across the province.

On a more personal note, I have been working with people in my riding of Durham, specifically in the Port Perry area, and more specifically, on the Fralick's Beach

area. For years, they've had a private well that's serviced some 60 homes. That well—it's quite a deep drilled well—has always tested 0-0. I have been working with those residents to make sure that Durham region and the people in the area have their water tested and it meets those regulations, and that they're not placed under any hardship. That's my goal as their elected representative: to make sure that any outlay of funds is certainly addressed in OSTAR and other programs.

As of October 19, the ministry has inspected 441 of the more than 620 water treatment plants in Ontario. Orders requiring corrective action have been issued to ensure that problems are corrected. Of course, these inspections are being conducted by the inspectors, the enforcement portion of that ministry. Over the summer I have had a number of issues with respect to private wells and other water sources, and in every case I have had very good support from the York-Durham office and getting out in a rather timely manner to inspect and look at what the inquiries were about.

We want to meet provincial treatment standards, adequately test drinking water and have qualified operators running systems. The result of our inspections will continue to be publicized on a regular basis so that Ontario residents are aware of potential issues with the drinking water supply in Ontario.

Here's a symbolic little gesture. I'm drinking the water here at Queen's Park. It's quite potable, actually. I was getting a little bit dry.

In addition, beginning in July, we began posting all reports of adverse drinking water quality on the Ministry of the Environment's Web site. If you have any questions at any time, you can call my constituency office or any constituency office and members will give you that information.

We are committed to providing the public with continuing information on the drinking water issue. On September 20, the Ministry of the Environment released the 1998-99 results of the drinking water surveillance program as part of the regulations. The program is a voluntary monitoring program carried out by the ministry and participating municipalities to provide information on the quality of municipal drinking water. The data is provided to support standard-setting and provide an early-warning system of emerging problems. The water surveillance team, as well as the regulations, I believe, is the right thing to do, and publishing them and putting them in the context of the legislative framework is clearly what we've done. The minister is moving forward; there's no question of that.

I'd just like to point out that more than 99.9% of the samples analyzed under the program met health-related objectives. It's not to send any sense of alarm; it's more a sense of accountability, which is very sympathetic to the tone of this government. It is not just to spend money, but to account for it and to have standards—among the highest standards in the world, in this case.

We are committing to support a program of quality drinking water in the province. To do that, we are also

making investments toward making Ontario's water supply clean and safe. On August 10, the Minister of Municipal Affairs and Housing, Tony Clement, announced immediate infrastructure investments that focus on water safety as well as long-term water and sewer infrastructure investments. The previous member has spoken about the OSTAR program and other Ministry of Finance initiatives.

1710

In the interest of maintaining some harmony with my good friend from Northumberland, I will save him a few minutes, although I have it on good information that my speech is far more interesting. I want to sum up with one small thing, with permission: a very good article, in the context of the Ministry of the Environment and how to look at it—not cynically. It's an article from the Ottawa Citizen on Monday, October 16: "10 Myths About Global Warming." Some might say that's not related. Well, the environment is water, air and soil, and I'm going to quickly read this.

The myth is that "The Kyoto accord, and other climate change initiatives, are focused on solving environmental problems." Now this is from Professor Patterson, an earth sciences professor at Carleton University in Ottawa. Tim Patterson is qualified to say this, not me; it's just giving us another point of view.

"Houghton calls global warming a 'moral issue.' Reducing greenhouse-gas emissions, will, he says, 'contribute powerfully to the material salvation of the planet from mankind's greed and indifference.' Former Canadian environmental minister Christine Stewart said, 'No matter if the science is all phony ... climate change [provides] the greatest opportunity to bring about justice and equity.'" It makes you question what the real agenda is.

"Paying developing nations billions of dollars to buy the pollution credits awarded by 'environmental' treaties may be the true objective of many alarmists. The transfer of wealth from rich to poor countries should be debated for what it is, not incorporated into environmental agreements." So what price for environment is the issue—buying credits. Do you understand? That's the point he's making; it's a very cynical thing.

"In the meeting today in Quebec City, the federal government will attempt to convince provincial representatives to make commitments similar to the \$500-million climate change program recently announced by Environment Canada. However, elaborate schemes 'to combat global warming' may be akin to combatting continental drift—of highly uncertain value and unbelievably expensive."

The point this sends is that some of the stuff we're hearing in the media must be questioned, and scientists and Justice O'Connor are just doing exactly that. Let's listen to the results before we jump to conclusions.

Thank you, and I'll share my time with the member for Northumberland.

Mr David Ramsay (Timiskaming-Cochrane): I'm pleased to have an opportunity to stand and say a few

words in regard to the ongoing saga of this government's mismanagement of water.

I think it has become apparent since the spring and the tragic occurrences in the town of Walkerton, as the previous member from the government side said, that Walkerton has acted as a wake-up call for all of us in our regard and respect for our drinking water supply, which, probably up till then, most of us in this province had taken for granted.

As somebody who lives on a farm and basically every year has to maintain his well—clean it out, make sure the pipes are clean—I have a direct interest and knowledge that I am responsible for my water supply. It's my responsibility, and I certainly want to make sure it is right. I've always had that respect, but I think most of us just turn on the tap and there it is. Until this spring, we certainly believed there was no danger in turning on the tap and drinking a glass of water.

In a way it's been a wake-up call, but in a way it hasn't, because I haven't seen any fundamental change from this government in their respect and regard for water. I haven't seen any new programs that really declare that Ontario will be a clean water province and that we have a clean water act that basically sets the highest standard in North America. That's something we should do, because we in this province are the possessors of the greatest fresh water supply in North America. We're the guardians and stewards of that water supply, and we should be the most vigilant in its protection.

Lately, as everybody has known, there's been another water issue I've been very close to; I've considered it to be a water issue. That was the Adams mine landfill. Why that was a water issue, and again why I don't think there's really been a wake-up call with this government, is that to this day this government has issued a certificate of approval that would allow the proponent to place garbage in a man-made lake.

I think we should have learned that regardless of a mechanical system or whether or not this pit would leak, just the idea of putting millions of tonnes of household waste, or any type of waste, into a man-made lake, using the inflow of groundwater that is so precious and that can be used to sustain life—to use it just to clean up garbage, with the hope of capturing it and cleaning it up again before it's discharged into the environment, is just wrong. Yet that certificate of approval for the Adams mine site remains today. That just means that Toronto has decided not to send garbage there in the next five years. That's all it means. That site still has approval to receive garbage.

I think the decisions facing Toronto will be almost as controversial, and who knows what they may face in regard to the methods of transportation of waste along our highways if they don't go with the rail-haul option that they could to Michigan. Of course, as we in this House and people in the press have been saying over the last few days, what is the will of the people of Michigan and of the state of Michigan to accept millions and millions of tonnes of Ontario trash over the next few

years? I think Toronto may not have a choice in the short term, but we really do have to find a made-in-Ontario solution.

So the government has to look at all aspects of water. Whether it's what my colleagues talk about—water-taking permits and how much groundwater we extract—or how we would wastefully use groundwater and pollute it through dumping garbage in a landfill, we must have total respect for our water supply, whether it be groundwater, our river systems or the Great Lakes.

I would say to the government that if they wish to show that Walkerton was a wake-up call, they would pull the certificate of approval that has been issued for the Adams mine and never again allow garbage to be put in that site. In fact, I think it would be a good idea, as part of a comprehensive water policy, to protect all future sites such as that in Ontario.

I know my colleagues would agree that we in the north are probably more vulnerable to this type of siting of a landfill, because we're basically the centre of the mining industry. As you know, you either extract the rock by driving a shaft through the surface of the earth, through the Cambrian Shield in the Canadian Shield area of northern Ontario, or you do like the Adams mine and basically dig an open-pit system. These open pits, which on a smaller scale are the quarries you more often see in southern Ontario, are very vulnerable to the temptation we've had for thousands of years of humankind to put our garbage in.

We've had that debate with the Niagara Escarpment, and I believe there is a law that forbids the dumping of household waste, any type of waste at all, in the Niagara Escarpment. I think we now have to extend that to any spent mining operation anywhere in the province, whether it be a shaft or an open pit, so we never use these fractured rock quarries, pits or shafts for garbage. Why? Because of water. I think we finally need to understand we have to preserve our groundwater resources in this province. We can't squander them.

You can imagine that only a Canadian, and specifically maybe an Ontarian, who has access to such tremendous, pure, pristine water resources, would even dream of wasting as we were going to with Adams by dumping out 3.1 billion litres of water that's accumulated there, that's drinkable as it sits, and to continue to do that for years—that we would squander that.

You can imagine, as the world continues to develop a water shortage over the next 25, 50 and 75 years, that a vast quantity of water that is in the reserve we'll call the Adams lake, and the rest of the groundwater reserves and surface water reserves that we have in this province, will basically be the crude oil of the 21st century. As that gave the wealth to western North American and the Arabian states, water is going to be the wealth generator in this century, way before the end of it.

1720

We must right now decide that we are going to preserve our water resources, that we're not going to squander them in any way, that we're going to, as we

develop them, charge properly for water so that people don't squander the resource and so that we never use such a freshwater resource, any water resource, to clean out our water.

We have a lot of other options available to us, and we are lucky now with the tremendous development of emerging technologies in waste control that we don't have to bury garbage at all anywhere in the ground. I would think that would be the next step, after we forbid the dumping of garbage in any spent mine workings in this province: we go the next step as we start to fund at the provincial level, as we should, because it's not just a municipal problem. You can't just download the total provincial waste problem on our municipalities. I think the federal government and the provincial government have to understand that it's a national and a provincial problem to handle our waste, and to do it in a sustainable manner we have to contribute financially to our municipalities to find the proper solutions for that.

Those emerging technologies are there. They are doable. Many of them have been developed in this country. The patents are held by Canadian companies; the engineering has been done by Canadians. The examples are not very far away from where we sit here in Toronto today. We need to go out and embrace those technologies. We need to support those Ontario and Canadian-based companies and utilize those resources to take care of our garbage problem that people take for granted and save the environment, save our water resources, and do the right thing with our waste stream.

Through that, we have to educate people on how we have to create less garbage to begin with. We have to pass legislation for our packagers to make sure we create less waste to begin with and all the way along so that we are better users of our resources, so we produce less garbage and in the end preserve our environment. I think that's what this government should be doing.

Water should be the base; water should be the start of what we should be doing to protect our environment. We should be looking at our air, and through this we should be managing garbage properly. So I would say to the government, let's please recognize Walkerton as a wake-up call and respect the water resources of the province of Ontario.

Mr Howard Hampton (Kenora-Rainy River): I'm pleased to be able to participate in this debate, if only to outline some of the many mistakes that have been made by this government and also to emphasize what I regard as continuing errors and likely new errors that are going to be made.

I think we all know the record. This is a government that came into office and immediately cut the budget of the Ministry of the Environment by 45%: over \$100 million taken out of the Ministry of the Environment budget. It's a government that at the same time laid off over 900 inspectors, scientists, technicians and enforcement officers, the very people who have the expertise, the knowledge and the experience to be out there doing the work to inspect and ensure that water treatment

facilities and sewage treatment facilities are working appropriately.

They closed all of the provincial laboratories whose job it was to conduct the water tests and other tests to ensure that people's drinking water was safe and also to ensure that water generally in this province was being adequately safeguarded.

This is a government that, despite a number of pleas from the community of Walkerton itself for financial assistance in terms of its water treatment facilities and its sewage treatment facilities, responded by saying, "We have money for tax cuts for corporations and the well-off, but we have no money to help you with your water treatment facility." It shows the true priorities of this government.

When presented with the Safe Drinking Water Act earlier this fall, as put forward by my colleague Ms Churley from Toronto-Danforth, this is a government, members of which voted for the Safe Drinking Water Act, but then, to ensure that it could never become law, instead of sending it to committee for public study and public comment, sent it off into the nowhere land of committee of the whole. In other words, the government and members of that government showed, in my view, how cynically they take all of these issues.

That is the record of what's gotten us here.

There are some other things that we need to take note of today and that I think the public needs to know about.

We already know from the studies which have emerged from Walkerton that the E coli which got into the water system came from manure runoff from cattle operations. We know that. It's been very clearly established by all of the tests.

We know that across major portions of rural southern Ontario, community after community is concerned about the runoff from large-scale cattle operations. The government held sort of a dog-and-pony show seven or eight months ago where the parliamentary assistant to the Minister of Agriculture and the parliamentary assistant to the Minister of Energy went out and talked to some folks. We know the Ministry of the Environment and Ministry of Agriculture and Food went out and they talked to folks, but the government refuses to make public their report. The government refuses to make public the details of what they found. Instead, what this government has done is they've presented a whitewashed summary which leaves out all of the details of the evidence that is out there.

Then they come into the Legislature and, in terms of dealing with this problem of large-scale factory farms and the large-scale problem of manure and runoff from these farms, their approach is that they want to study it some more and then they want to hand the responsibility off to municipalities. Municipalities are going to be charged with the inspection and the enforcement.

Well, figure this. You have a water course that runs through several municipalities. How can the municipality that is at the bottom of the water course enforce against someone who may be polluting the groundwater, the

surface water, further up in another municipality? It won't work. How are small municipalities which are already suffering from the downloading of ambulances, suffering from the downloading of public housing, suffering from the downloading of a number of other expensive services supposed to afford this enforcement and this inspection capability?

The government doesn't seem to really care about that. All this government seems to want to do is to hand off these very important responsibilities.

I think people across this province would be shocked, perhaps mortified, if the government came to them and said, "Municipalities will now be responsible for inspection, enforcement and regulation of the chemical industry." No one would say that municipalities have either the financial wherewithal, the historical knowledge or the expertise to do that. But in a sense that's what this government's position now is with respect to large-scale factory farms.

People in this province would be shocked, I suspect mortified, if the government came out and said, "Local municipalities are now in charge of policing, of inspecting and enforcement, with respect to the pulp and paper industry," another potentially major polluter. People would say, "You're crazy if you suggest that. Municipalities don't have the expertise, the knowledge, the money, anything." Municipalities wouldn't be able to enforce environmental regulations in any adequate way with respect to the pulp and paper industry, just as they wouldn't with respect to the chemical industry.

The evidence of Walkerton is that agricultural runoff can kill people just as quickly, can make several thousand people very ill, yet the response from this government so far is, "Municipalities should regulate these issues."

I think that shows us all that this government continues to fail to take seriously how important protection of the environment is, continues to fail to take seriously that if you're going to protect the environment, you must put in place, first, the legislation; secondly, the expertise that can do the job; and thirdly, the budget that will allow the expert people to do the job.

1730

What we see from this government is that they refuse to pass a Safe Drinking Water Act. They refuse to restore the budget of the Ministry of the Environment so that the Ministry of the Environment can go out there and hire the necessary experts, and they refuse to then provide the resources so that those people can do the job.

In terms of agricultural runoff, they refuse to take responsibility, they refuse to introduce legislation. Instead, their position is, their plan is, their strategy is: hand the responsibility off to municipalities.

It's clear that this government, despite the tragedy of Walkerton, despite the dozens of communities in this province that now have to boil their water, despite the several dozen communities that acknowledge upfront they have problems with their sewage treatment facilities, with their water treatment facilities, this government has

no strategy to help them address this. None, other than to say, "It's your responsibility. We, as a provincial government, refuse to take any of the responsibility that is properly the responsibility, properly the place of a provincial government."

It doesn't end there. We know this government's next strategy to try to avoid responsibility will be to hand responsibility for the operation of sewage treatment plants and water treatment plants over to private sector companies. We know that the whiz-bangs who work for the Minister of Municipal Affairs have been plotting away at this strategy for some time. That is, if they can't take responsibility for it, they refuse to take responsibility for it, hand it over to private companies.

Fortunately for people, there are examples of what happens when you do that. The greatest example comes from Great Britain under the Thatcher Conservative government there, where Margaret Thatcher, in 1989, proceeded to privatize many of the sewer and water operations in Great Britain. What was the result of that two and three years down the road? Let me summarize quickly. The private companies took over the water utilities, they took over the sewer utilities, and immediately raised the user fees, raised the rates that were being charged local people in order to cover the cost of operations. By the way, the executives of these new companies fattened up their salaries and extracted literally hundreds of millions of dollars from the operation of the utilities for their own pockets. They then went out and did what this government has already done, they laid off people whose job it was to maintain the operation of the sewer and water treatment facilities. They laid off thousands of employees, then they raised the rates. When people complained and said, "We don't have the money to pay these rates," they went out and cut people off and they simply stopped doing the maintenance work.

So what happened three years down the road? Three years down the road the British Medical Association was annually writing letters to the Thatcher government and then the Major government in Conservative Britain, saying to them, "Your privatization of sewage treatment plants and water treatment plants is creating a problem wherein water is becoming a number one public health threat in Great Britain. We are seeing infectious diseases being spread by inadequately maintained water mains and inadequately maintained water facilities that we have not seen in Great Britain for 70, 80, 90 years."

Whole lower- and modest-income neighbourhoods suddenly found that there was no maintenance work being done on the water distribution system, that there was no maintenance work being done or improvements being made in the water treatment facility. Why? Because the private company wasn't interested in providing safe, clean water. They were interested in getting as much as they possibly could in terms of profit out of the system.

We know from the leaked documents that that is what this government has in mind next. We're headed for a situation in this province where, if you have money,

you'll be able to pay for safe, clean drinking water. But if you don't have money, or you don't have sufficient money, this government's strategy will be, "Well, too bad for you." Whole neighbourhoods are going to be put at risk by this government's strategy.

So today's debate is a timely debate, a very timely debate. We are seeing the gradual degeneration of what I believe is one of the essentials of our society and one of the essentials that all people who live in our society should be able to count on regardless of their income. This is one of the reasons why governments were created: to ensure that people will have safe drinking water; just as I believe that government has a responsibility to ensure that we have schools that operate efficiently and effectively, something else that isn't happening in Ontario today; just as I believe it is government's responsibility to ensure that all of its citizens can have access to health care, something else that isn't happening in Ontario today.

That's why this debate is so timely.

Just to summarize again, this is the government that, upon taking office, laid off 900 inspectors, enforcement officers and scientists in the Ministry of the Environment. This is the government that cut over 45% of the budget. This is the government that ignored all of the warnings, not only from their own internal civil service but from outside agencies. This is the government that ignored pleas from the community of Walkerton itself. This is the government that has no strategy for dealing with the problem of agricultural runoff from large-scale factory farms. In fact, this is the government that thinks that large-scale factory farms are always a good idea, everywhere. This is the government whose only solution to the water crisis that they have created and presided over is going to be to say on the one hand to municipalities, "It's your responsibility," and on the other hand to say to people, "Oh, you want water. Well, you now have a private company running your waterworks and if you want water, then you should be prepared to pay whatever inflated, exploitative water rates they demand." That is clearly where we're headed.

I want to draw to people's attention something else that's happening. This is a government that's sending out to folks across Ontario lots of propaganda, paid for with their money—taxpayers' money—telling them how much they've cut taxes. People need to know that Mike Harris's tax cuts will not do anything to ensure that we have safe, clean drinking water. Mike Harris's tax cuts will not do anything to bring back the lives lost at Walkerton, and people whose health will suffer forever in that community. Mike Harris's tax cuts won't do anything to help those communities that are now on boil-water directives and those other communities that are likely to end up on boil-water directives.

Yes, Mike Harris's tax cuts are very good for corporations. Yes, they are very good for the most well off. But for the citizens who deserve to be able to count on clean water, they won't do anything.

The Acting Speaker (Mr Michael A. Brown): Thank you. Further debate?

Mr Doug Galt (Northumberland): I'm pleased to be able to wind up the debate on this rather silly resolution that's been put forward by Mr Bradley. He's the person who waived environmental assessments when he was the Minister of the Environment.

Before I get into the discussion about Operation Clean Water that I wanted to talk about, I'd like to correct the leader of the third party in some of his comments, and I wish he would just stay here while I explain it to him. He was asking about the release of the intensive agriculture report. I'm pleased to report to you, Mr Speaker, that the report was released publicly by the Minister of Agriculture, Food and Rural Affairs, the Honourable Ernie Hardeman, just an excellent minister, in early July.

Now we tried very hard to write it in Dick-and-Jane language so people could understand it, particularly people like the leader of the third party. I don't know if he didn't understand it or he didn't bother to look at it, but it is out there and he is very welcome to have a look at it. We can send him the report whenever he'd like it. We received support from the Ontario Federation of Agriculture, the Christian Farmers, and having no objections from environmental groups, I interpret that they support it as well.

1740

The other area I wanted to comment on, just before I get into this debate, is in today's Toronto Star, "Recycling May be Reborn," being led by Councillor Jack Layton. Everything that's in here that they're going to do is being done in rural Ontario today. It's certainly being done in my riding. I know it's been carried out for about five years in Guelph, and certainly four years in Northumberland. The member from Broadview-Greenwood wants to ban organic material from landfill sites. All they have to do is start doing it in Toronto. They're been doing it in rural Ontario for some time. Mel Lastman is going to fly to Edmonton to see how it's done? All he has to do is take a short drive up to Guelph and see how it's done. He doesn't have to go to Edmonton. He must have some friends or relatives out there to go and visit. Then he talks about, "If it's going to cost a couple of bucks ... people will put it in front of someone's else lawn. We can't have that. It won't work in Toronto." It works in rural Ontario.

Hon Mr Stockwell: Who said that?

Mr Galt: That's Mel Lastman.

I don't know why it wouldn't work in Toronto. It's user-pay for the garbage that's going into a landfill.

Then, "Gord Perks, of the environmental alliance, remains sceptical about Lastman's commitment to recycling." I can understand that, particularly as they haven't done it yet. The rest of Ontario is doing it. He goes on to say, "It's my experience—and I've been doing waste work in Toronto since 1987—that as soon as they find a hole in the ground, they forget about recycling." I expect he's probably quite right there.

They didn't have to start with all of Toronto. They could have started with a small portion of Toronto and tested the market to see how it worked. But, no, they lagged behind the rest of Ontario. I guess the rest of Ontario should be showing them, but, lo and behold, he has to go to Edmonton. He's got to go out of the province. It must be better there.

I wanted to spend a few minutes talking about Operation Clean Water and how our new drinking water protection regulation is going to enhance the protection of people here in Ontario. This will now have the force of the law so that it must be done. It's going to be more than the drinking water objectives, although the drinking water objectives were very ideal guidelines.

This government didn't wait to act. The new regulations took effect in August, as quickly as new regulations could be brought in.

These regulations have some of these kinds of requirements. There will be regular and frequent sampling and testing of drinking water. There will be stringent treatment requirements for all drinking water. There will be quarterly reports for consumers and they will be kept up to date as to what's going on. The first one will be tabled on October 30. There will be microbiological and chemical testing carried out by accredited laboratories. There will be absolutely clear requirements for the immediate, person-to-person communication of those reports of potentially unsafe water situations. It will go to the Ministry of the Environment, to the medical officer of health and to the waterworks owner to ensure that the kind of mishaps that happened in Walkerton won't happen again. There will also be full public access to water quality information.

Having a little further look at some of those points I've just mentioned, it will ensure water quality standards with this testing and reporting and it's going to go beyond some of the previous objectives, that we will have this increased protection with the strict, regular testing. There will be the quarterly reports, as I mentioned, and they will be quarterly public reports, and the public can easily get to see just what's going on. There will be notification certainty whereby they will ensure that the people on the other end do get the information and they will certainly be very responsible in that notification. It will be to a live person, not just voicemail left, and it will be assured that there will be within 24 hours a follow-up of those reports in writing. But I think in this day with voicemail it's very important that it is one-to-one, that the message is sent on so there's no confusion. It will ensure that the proper authorities get the information so that they can take the quick and effective actions that are so important.

It's also important that these laboratories be accredited. Anybody can hang out a shingle and call themselves a laboratory, but they need to meet the standards of the Standards Council of Canada, or at least that equivalent, if they're going to be in the business of checking how safe our water will be. If there's any change to those laboratories, that has to be in writing to

the Ministry of the Environment to notify them to ensure that the new lab they're going to is a certified laboratory.

We talked about the people being made aware, and certainly notices must be very publicly placed so that people are aware that there's water that may be of unacceptable standards or that unacceptable testing may have been going on. It must be in prominent locations.

The staff who do the sampling of water at these various plants will have to be licensed.

Of course we've also brought in that there will be an engineer's report of all of these waterworks, one in the immediate future and from there on every three years, to let the Ministry of the Environment know the status of those waterworks. It will help with issuing of new certificates for their operations and it will also be a basis for requiring the owners of those waterworks to upgrade those facilities.

It's refreshing to see that this is going to have the force of the law and that it will be in regulation. Before, it was drinking water objectives that, if followed, there was no question the people's health would be protected.

We're also, as a key goal to this package, looking at the small waterworks in the province. The consultation paper was put out in August, and we know there are thousands of small businesses and institutions, mostly in rural Ontario, that use these small waterworks, and they should have the same protection any of the large municipal water systems has.

I repeat that we didn't wait to act. This government took immediate action by passing the drinking water protection regulation, a regulation that for the first time gives the force of law to tough standards that are designed to ensure clean drinking water for the people of Ontario. I stress that we didn't wait to act. We acted as quickly as we possibly could to bring in new regulations to protect the people of Ontario.

The Acting Speaker: This completes the time allocated for debate.

Mr Bradley has moved opposition day number 2:

That this House recognizes this government has abandoned responsibility for protecting our water by: ignoring repeated warnings about water safety from the Provincial Auditor and Environmental Commissioner; drastically slashing funding and firing staff from the Ministry of the Environment and the Ministry of Natural Resources who play a key role in protecting our water; and

That this House demands that the government take action on this serious problem by:

Finally keeping their long-standing promise to deliver a comprehensive groundwater protection strategy;

Beginning to restore the 45% cut to the budget of the Ministry of the Environment;

Beginning to rehire the one third of Ministry of the Environment staff that the government has laid off; and

Immediately passing a comprehensive clean drinking water act.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members; it will be a 10-minute bell.

The division bells rang from 1749 to 1759.

The Acting Speaker: Mr Bradley has moved opposition day number 2. All those in favour will stand one at a time until they're recognized by the Clerk.

Ayes

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Christopherson, David
Churley, Marilyn
Conway, Sean G.
Crozier, Bruce

Curling, Alvin
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Hoy, Pat
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte

Lalonde, Jean-Marc
McGuinty, Dalton
McLeod, Lyn
Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Ramsay, David
Sergio, Mario
Smitherman, George

The Acting Speaker: All those opposed will please rise one at a time.

Nays

Amott, Ted
Baird, John R.
Barrett, Toby
Chudleigh, Ted
Clark, Brad
Clement, Tony
Coburn, Brian
Cunningham, Dianne
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Eves, Ernie L.
Flaherty, Jim
Galt, Doug
Gilchrist, Steve
Gill, Raminder

Hardeman, Ernie
Hastings, John
Hudak, Tim
Johns, Helen
Johnson, Bert
Kells, Morley
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Molinari, Tina R.
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan

O'Toole, John
Ouellette, Jerry J.
Runciman, Robert W.
Sampson, Rob
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wood, Bob
Young, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 31; the nays are 48.

The Acting Speaker: The ayes being 31 and the nays being 48, I declare the motion lost.

It being past 6 of the clock, this House stands adjourned until 6:45 of the clock.

The House adjourned at 1802.

Evening meeting reported in volume B.

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Gilles Bisson, Claudette Boyer, Brian Coburn,
Garfield Dunlop, Raminder Gill, Pat Hoy,
Frances Lankin, Bill Murdoch
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N° 93B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 23 October 2000

Lundi 23 octobre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 23 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 23 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

TOUGHEST ENVIRONMENTAL PENALTIES ACT, 2000

LOI DE 2000 SANCTIONNANT PAR LES PEINES LES PLUS SÉVÈRES DES INFRACTIONS DE NATURE ENVIRONNEMENTALE

Resuming the debate adjourned on October 19, 2000, on the motion for second reading of Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties / *Projet de loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.*

The Deputy Speaker (Mr Bert Johnson): Further debate? It will be the member from the official opposition, and I recognize the member for Sarnia-Lambton.

Ms Caroline Di Cocco (Sarnia-Lambton): I'll be sharing my time with the members for Eglinton-Lawrence, Kingston and the Islands, York West, and Renfrew-Nipissing-Pembroke.

I'm pleased to be able to speak to this bill, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties.

I have to say that when the Conservative government introduced this bill, the Toughest Environmental Penalties Act, it significantly increased the fines for breaking our environmental laws, but they forgot one huge aspect: that there are no new resources to actually enforce those penalties. As has been the case with regard to the environmental track record of this government, there's a lot of talk and very little action, a lot of promises made but very few kept—none kept, actually. Any initiative that's going to start turning around the government's dismal legacy is a plus, but I have to say that when it comes to the track record of this government, it really is abysmal.

The 10 top things that are wrong with environmental protection under the Common Sense Revolution are, first of all, the cuts. The ministries and the agencies that protect the environment have too few staff and too few

funds to do their job. There's nobody there to do their job.

We had a fire in Sarnia-Lambton at the toxic landfill, and the fire happened to take place after 5 o'clock. The Ministry of the Environment could not send anyone to that fire because there's only one person on staff after hours from Windsor all the way up to Huron-Bruce. If there is an emergency situation after 5 o'clock, there's one person from the Ministry of the Environment who can go and answer the call.

The government loads environmental responsibilities on to small municipalities. On the one hand, it has downloaded it; then it limits their ability to protect the environment. I understand that in Waterloo, that municipality has actually hired a hydrogeologist so that they can deal with the water issues in that region. The city of London has hired environmental engineers because they know the provincial government is not doing its job. So they're downloading the responsibilities to the municipalities and they are abdicating, they are not home, when it comes to the environment.

1850

Last year, Minister Clement was throwing out a number of times a six-point plan on toxic hazardous waste. When I was raising with him my concerns about our toxic landfill, the Safety-Kleen landfill in Sarnia-Lambton, he kept throwing back at me this six-part plan that he had in place. One of the sections in this plan says the revisions of the current hazardous waste manifest requirements and regulations are to be comparable to and compatible with US rules. The last time I looked in Sarnia-Lambton, which was just this morning, there are no rules that have changed. They are still dumping toxic waste the same way they did five years ago; that is, they don't have to treat the waste. So we're a magnet for toxic waste, because you cannot compete—or we're better competitors, I guess, when it comes to toxic landfill, because in the United States you have to treat hazardous waste before you landfill it.

In my riding of Sarnia-Lambton we've got a toxic dump, and one of the landfill operators in Detroit said that he would be thrown in jail if he landfilled toxic waste the way we do in Ontario. Yet the minister said to me, "I've got a six-part plan. We're going to fix the toxic waste issue in Sarnia-Lambton. I've got this six-part plan." He forgot one thing: he forgot to implement it. He forgot to do anything about it. So it's business as usual, because the Safety-Kleen landfill in Sarnia-Lambton was one of the first landfills expanded under your new rules

in 1997. You fast-tracked the process; no public hearings. Now we have the largest landfill in Canada, and you have not put in the checks and balances to protect public safety in that whole area.

We have problems on the site. It's not an engineered site. They only have to put up \$2.5 million up front in case there is a problem there. In South Carolina, a smaller landfill, the same company, Safety-Kleen, had to put up US\$70 million. That's real money. In Ontario, Safety-Kleen only has to put up \$2.5 million.

Interjection: Tough on polluters.

Ms Di Cocco: I'm so glad that this government is tough on polluters, absolutely. They certainly like to give Safety-Kleen the opportunity to expand its market share without any red tape at all.

When it comes to the actual fact of what the Harris government has done for the environment, it has caused one crisis after another. To date, except for a lot of rhetoric, except for enacting this, "We're going to have stricter penalties"—but you don't have people in place; you don't have the manpower in place to deal with this. I believe it was in 1998 that there were 3,000 cases of illegal acts environmentally and you guys only went after one person.

As I've said, I've seen over and over again when I've spoken to the minister, and I've seen over and over again when we've tried to deal with issues in my riding about the environment, that the Harris government is not in the business of environmental stewardship of this province. It is only open for business. I wish Minister Newman would understand something about sustainable economic development. Sustainable economic development has everything to do with the stewardship of our environment. It has everything to do with making sure that public safety is protected.

You hear the minister oftentimes talk about how he takes all of the environmental issues very seriously. Well, I wish he would act on what he says. I wish he would take the environment very seriously, because it's an embarrassment in the industrialized world what this government is not doing when it comes to environmental protection.

This government has fired over one third of the Ministry of the Environment staff; it's slashed 45% of its budget. Without a significant increase in the Ministry of the Environment inspection or enforcement and prosecution staff, this bill is going to be absolutely meaningless, but it give you guys a good hit in the media, because it looks as if you're doing something. This government forgets or refuses to get tough with criminals breaking our environmental laws, and people get convicted for begging for money or squeegeeing cars before anyone gets convicted for polluting our water and our air.

Bill 124 amends the Environmental Protection Act to increase the maximum penalties for breaking Ontario's pollution laws. Maximum fines for repeat offenders are increased from \$2 million to \$10 million for corporations and from \$100,000 to \$4 million for individuals, but when you took office you decimated the Ministry of the

Environment and its ability to monitor, inspect and enforce our pollution laws: 900 people were fired and the ministry's budget was cut by \$121 million. You know, \$50 million, or 30%, was cut from the compliance and enforcement branch, and this resulted in 141 staff of this branch being fired. You've got the compliance and enforcement branch, which is supposed to go out there and enforce the laws when it comes to the environment, yet they have been fired.

One of the best aspects of looking to a track record—and I look to my riding because I discovered the lack of checks and balances that exist in our toxic landfill, a landfill that was expanded under the Harris government from 100 acres to 300 acres. It's all self-monitored and self-regulated; whatever Safety-Kleen says, goes. This company had a leak in their liner and because it's self-monitored it took them a month before they even reported that they had a problem. There's nobody there to oversee what they're doing, so they can call all the shots. We don't know what's going into that landfill; we only know that it's toxic and hazardous.

It was this government in 1997, under Minister Sterling, that sent a letter to the federal minister saying, "Don't bother telling us what's coming into the province; we really don't want to know any more." The province has jurisdiction to regulate what is coming into this province. Its jurisdiction deals with how you treat waste. Good waste management policies are in the jurisdiction of the province. This is the richest province in this country, and yet it's got the worst environmental record. In this time of a strong, booming economy, we had an incident such as Walkerton. It's just unconscionable that this happened at a time when we are the richest province in one of the richest countries in the world. Yet we have left and denigrated our environment to the point where now we question our drinking water, when in fact it should be a given that our water is clean.

1900

One of the areas about water monitoring and water strategies is that there was an aspect of what the Ministry of the Environment approved when it came to our drinking water. Our drinking water in this province is a precious commodity. As of July 3, 1999, the Ministry of the Environment figures show the ministry approved 18 billion litres of water a year to be drained by commercial bottlers, free of charge. These people, in turn, take our water and make a huge amount of money, yet this province is letting them take it free of charge from Ontario's water supply. Listen to this. It's reported that the Ministry of the Environment has issued 48 free permits—you're not even charging for permits—that grant long-term access, and that's 10 years or more, to the provincial water supply.

We talk about responsibility. Responsibility means that the government must show leadership. If there's one role that government has, that is to protect the environment for all of the people of Ontario, because clean air and clean water don't see any difference between people who have a lot of money and people who are poor. It

affects all of us. And the responsibility of good government is not only to ensure that you put in the laws and the regulations to ensure that the environment is protected, but good government—and I say it again, good government; not just government but good government—ensures that it applies its resources not to advertising. Again, I have to agree with one of the articles I read. I think because you've actually spent more money on advertising than on your annual budget for the Ministry of the Environment, we should have a ministry of advertising. You should put in the resources so that the experts in the Ministry of the Environment can look after the environment for all of Ontario. You don't cut the red tape for your business buddies, because the environment is something we have to protect for the future. That's what the future is all about. The future is about the environment, the future is about education, and on these you have a dismal record.

When it comes to our water resources in this province, they're not being managed well at all. Your knee-jerk reaction—as it was stated in this House before, we had to take you kicking and screaming to a judicial inquiry to deal with the Walkerton issue because you don't take blame, you don't take responsibility. You sit back and say, "But it's the feds' fault," or, "It's the municipalities' fault." It's always somebody else's fault, but you as a government take no responsibility when it comes to the environment.

I hear in this House, day after day, the minister consistently say—and he says it every single time he stands up—"I take the environment seriously," but in actual fact he doesn't act in that way. All he does is spin, because I think there is this sense that if you can tell people enough times that everything is fine—and there is, as the Environmental Commissioner stated, a great deal of misleading going on when it comes to the actions that the government has taken with regard to water management, with regard to environmental issues. This government has a terrible track record. Its actions speak for themselves, and it has no interest in actually dealing with environmental issues and coming up with plans that are going to keep our environment for our future.

The Deputy Speaker: Comments and questions.
Interjections.

Ms Frances Lankin (Beaches-East York): Thank you and thank you to my two-person fan club across the way there.

I appreciate the opportunity to respond to the member's comments. There are a number of points she made that I think are quite relevant to this bill, and I'll have a chance to speak at greater length in a while.

Most important is the concept that while no one would think it is necessarily a bad thing to raise maximum penalty levels, if there isn't a hope of seeing any of those enforced through active investigation, through laying of charges, through convictions and then through penalties and fines, how does it encourage us to think that the government is actually being tougher on environmental enforcement?

The member talked about a decrease in ministry budget and a corresponding decrease in ministry staff, and I support her on that point. I want to point out that I've been looking at the numbers of the Ministry of the Environment staffing levels over the last decade, and it's really quite interesting.

In 1991—I happen to remember that year because it was the first full year that I was a member of cabinet and a member of a government in the province of Ontario—the staffing levels in the ministry were 2,778. In 1992 they climbed to 2,917. They continued to climb—and this is important—in 1995, the last year that I was a member of a cabinet in the government of Ontario, the staffing numbers were 3,103. In 1996 they dropped to 3,024, in 1997 to 2,456, in 1998 to 2,220, and in 1999 to 2,159. Those staffing numbers are lower today than they were in 1990-91 when I was first part of a government cabinet.

Since the Harris government has come in, there's been a systematic dismantling of the ministry's capability to actually go out, investigate and enforce. That's the point that we have continue to make, because it makes it very hard for us to have trust in legislation that they're saying is tougher enforcement.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I do agree with the member from Hastings-Frontenac-Lennox and Addington that we are the richest province in one of the richest countries in the world, and from this we should have the toughest environmental penalties of virtually anywhere.

I would like to clarify—I think the expression is "misleading information." There has been some confusion and some misleading information during this debate—

The Deputy Speaker: I'm sorry, we don't use that terminology.

Mr Barrett: What? "Misleading information"? I'm just using a quote from the other side of the House.

The Deputy Speaker: Sorry, I didn't hear it, but you can't use it.

Mr Barrett: OK. Thank you, Speaker.

I'll refer to the word "confusion" with respect to administrative penalties. Under Bill 82—this was 1998—administrative penalties were introduced as an additional compliance tool to be issued to a company director or an officer who violates the officers' or directors' liability sections. They were not intended to address serious offences which can cause an adverse effect on the environment.

Charges against directors and officers are considered to be very serious and will be dealt with by using the most severe enforcement tool available to the ministry, namely a prosecution and tough penalties. Hence, the toughest penalties that are being introduced will supersede these administrative penalties. That's why this bill goes beyond the administrative monitoring penalties and will subject directors and officers to the toughest penalties and the toughest jail terms in Canada.

In order to strengthen the ministry's enforcement ability, officers' and directors' liability offences should not be dealt with by administrative penalties, but, rather, should be pursued through prosecution.

Mr Mario Sergio (York West): I'm delighted to add my few comments, especially on the wonderful rendition from the member for Sarnia-Lambton, who has extensive experience and knowledge when it comes to the environment and environmental issues, but especially with respect to the bill that has been introduced by the government, which deals with all kinds of environmental issues, especially with penalties imposed.

1910

Many times our leader on this side of the House, Dalton McGuinty, has been asking tough questions on this particular issue, and we still have no answer as to how those huge fines are going to be imposed. There are no avenues as to how the government can control, can follow up, and really lay down the laws. What is the purpose of introducing bills in this House when they are not being enforced because of the will of the government?

You may say, "How is that?" Well, first of all, we have seen that the responsibility has been shifted from the real provincial government to the local municipalities. We have seen huge fiascos recently, two of them. One was with respect to the transportation of city garbage up north where the province says, "Well, that's OK. Ten years, let them handle it, and that's fine," and the other one was the water issue. That was and is, and will continue to be, a total abdication of their responsibility, and it has become a frustration for this government because they cannot deal with that particular issue.

There are many other areas. But when you have responsibilities, especially with respect to the environment, and you download them to the local municipality and they haven't got the manpower, the funds, how are you going to do that? That is what the member for Sarnia-Lambton was saying.

The Deputy Speaker: The member's time has expired. Comments and questions?

The member for Sarnia-Lambton has two minutes to respond.

Ms Di Cocco: First of all, I want to say that in 1999, Dalton McGuinty and the Ontario Liberals had a platform of commitments with regard to the new Ontario safe drinking water act.

What they wanted to do, and what we want to do, is to set clear and enforceable standards for water quality, something you have not done yet after being in power for almost six years.

We wanted to restore water testing programs that were cut by the Harris government. We said this in the 1999 election campaign, and we have Walkerton now, unfortunately, which proves that your cuts to water testing programs have had a terrible effect.

We wanted to restore and enhance funding for cleaning up the Great Lakes and target the toxic hot spots.

We wanted to stop the Harris plan to privatize the Ontario Clean Water Agency, to prevent, again, municipalities from selling their water and sewer assets and stop water exports to the United States.

We wanted to develop and will develop a plan, because Dalton McGuinty and the provincial Liberals understand that our future is all about clean water, clean air and a clean environment. That's what the future is about. Sustainability and people development is all about a clean environment. We are committed, all of us as individuals and as a caucus, to a clean environment, and we will act accordingly.

The Deputy Speaker: Further debate? The Chair recognizes the member for Beaches-East York.

Applause.

Ms Lankin: There are those two lonely people again over there. My sincere thanks.

I am delighted to have an opportunity to speak to this bill, because a week ago today I raised a question in question period. It was, unfortunately, a day when neither the Premier nor the Minister of the Environment was available to answer questions, so I put the question to the Deputy Premier. I asked him specifically why, given all of the hoopla with the introduction of this bill, all of the great noise that the minister made in the press release and the announcements and the statements—and the language is quite stunning, isn't it? "The toughest environmental enforcement laws anywhere." I've often said about this government that their use of superlatives is superlatively done; it's quite amazing, actually. But here it was, the toughest enforcement. I asked him why, given all that, the minister did not make any mention of the fact that this bill actually repealed a section of the existing legislation which the former Minister of the Environment, Norm Sterling, said, when he was introducing that two years ago in this Legislature, made his bill one of the toughest pieces of environmental enforcement legislation ever? I find it quite ironic.

I want to tell you about this provision, and I want to respond specifically to the comments the member for Haldimand-Norfolk-Brant made a few minutes ago with respect to this, because now the government is scrambling, trying to explain away its silence and explain away its actions. In 1998, Norm Sterling, the then Minister of the Environment, introduced a bill which, by the way, he said made it part of the toughest environmental regulations, enforcement and penalties. The language was identical to what we're hearing today. Contained in that bill was the creation of a concept called administrative penalties, as opposed to the criminal penalties that are in place for violation of the legislation where there's an investigation, you go to court, you prosecute, there is a conviction or not and, where there is a conviction, there are penalties associated with that.

To be accurate, in addition to that, they created another category of offence called an administrative offence. This section of the legislation allowed for the director, named in the legislation, to levy a penalty or administrative fine where there was a finding of a

violation of the act, an act of pollution. The minister's words at the time were that this was important for a number of reasons: first, to bring us in line or ahead of a number of other jurisdictions that had these kinds of provisions, but secondly—and I found this really interesting when I went back and looked at the Hansard—he said we have to realize that the actual time investigating, going to court and prosecuting a number of these cases takes up a lot of resources, and perhaps there should be a more effective, efficient and, therefore, tougher way to proceed on a whole range of violations that are perhaps, as the member for Haldimand-Norfolk-Brant indicated, not the most heinous or serious.

First of all, I find that categorization problematic. I think any violation of environmental protection legislation is pretty heinous, when you think of what the consequences can be. But I don't disagree with the minister in that a category of offences could be dealt with, perhaps in an efficient manner, by administrative penalty. I find it disturbing that in his language, in his own justification, he linked that with not utilizing resources to pursue the investigation and the court time, the prosecution, to get a conviction. I believe that's where we should be most of the time, and I'm going to point to some evidence later that says we've all but abandoned that in Ontario. But this administrative provision was put in.

That legislation was passed by this Legislature. It was brought into statute form by a vote in this House. But the interesting thing is that that provision for an administrative penalty—the very penalty the member for Haldimand-Norfolk-Brant stood here and talked about and its purpose and reason and why it is being used—has never even been proclaimed. The very clause that in 1998 the Minister of the Environment, Norm Sterling, said was going to make this one of the toughest pieces of environmental legislation has never even been proclaimed. Without having been proclaimed, and therefore without having ever been used, we now find in this bill before the House a quiet little section that says part of the language under the administrative penalty is going to be repealed.

The clause that is being repealed is the clause that holds directors and executives of corporations liable for actions if they haven't taken due diligence to prevent that kind of pollution. Without that, it means is that employees of the company and the company can be held liable, but directors and corporate executives will no longer be able to held liable under the administrative penalty provision. Why? I wish someone over there would explain why.

The member for Haldimand-Norfolk-Brant said, "We think that on big, serious crimes, we can go after and prosecute everyone—the employees, the company and the directors—and that's where we'll treat directors." But why would directors be let off the hook with respect to administrative fines?

It becomes more curious, if you take a look at the cabinet submission—a copy of which was leaked to our party and that we presented to this Legislature—which

backs up this piece of legislation. In that you will find it was recommended that with respect to these administrative fines or penalties, the threshold, the test that should be utilized in legal terms to assess whether or not there has been a violation—this isn't dealing with the directors and the corporate executives; you're now repealing that section—the cabinet submission recommends, with a supporting legal analysis, I may say, an amendment to establish that "absolute" liability should be the standard for administrative penalties, eliminating a defence of "due diligence" when this legislation came in. And do you know what? That amendment to the administrative penalty section is not in the current bill.

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So here we have the cabinet submission clearly recommending toughening up this provision and having a higher legal standard so that the defence of due diligence is not available to corporate executives and directors. Instead of doing that, what do they do? They repeal the whole section dealing with directors and corporate executives. What I find so offensive is that they never said a word about it. It wasn't in the minister's statement, it wasn't in the press release, it wasn't in the backgrounder and, most offensive of all, it wasn't in the explanatory notes to the bill.

The explanatory notes to the bill are a technical document that is supposed to go through and thoroughly give you a background in terms of the nature of the changes. It wasn't in the explanatory notes. My bet is that not one of you on that side of the House, outside of cabinet, knew about it until I raised it in question period and put the question to the Deputy Premier. How many of you have gone back and demanded an explanation instead of standing up and reading the briefing note from the ministry, which is frankly hard to take, given the history in this place of two years ago having had the minister stand up here and proclaim to the world how important this provision was—the administrative penalties and the ability to hold individuals absolutely accountable—and now you're repealing the section that holds corporate directors and corporate executives accountable? I think the question why needs to be asked again. It's never been answered in here. We're now getting the smoke-and-mirrors answers to try to defend against this when you hoped it would be sneaked through quietly.

I guess the thing that makes it all the more problematic for me is when the member from Haldimand-Norfolk said, "We're going to go after those corporate directors and executives on the big things. We'll prosecute the big violations." I pointed out to the minister that back in 1995 the fines from prosecutions of corporations were running at around \$2 million in this province and that they dropped under your government. In 1998 it was to about \$650,000 or \$660,000. From \$2 million in fines down to \$660,000: the track record is pretty pitiful. But maybe people didn't believe me. Now we have an independent report that actually confirms this, just released from the Canadian Institute for Environmental Law and Policy, a document called Ontario's Environment and the

Common Sense Revolution: A Fifth Year Report. This is their five-year review of the Harris government's Common Sense Revolution as it has affected the environment in Ontario. They point out, with respect to enforcement activities, that total fines against corporations in 1995 were roughly just under \$2 million, as I said. I want to tell you also that total fines obtained against individuals in 1995 were \$1.2 million. So you're talking just over \$3 million in fines and penalties assessed against corporations and individuals for violating Ontario's environmental protection laws in the last year of the Rae government. What has happened since then? That number has declined steadily.

In 1998 the total fines against corporate defendants were \$622,000, and the total fines against individuals were \$241,000. That's roughly \$860,000 in fines in 1998, compared to over \$3 million in fines. How do you expect any of us to take you seriously when you say, with such great fanfare, "We're the toughest, because we're increasing what the maximum fine can be," when you're not taking people forward and prosecuting them and getting fines? Please tell me, how can you expect anyone in the province to take you seriously?

Let me give you another example with respect to water violations and prosecutions, because I found this one really interesting, too. Since you have taken over as government, we have seen a total dismantling of the ministry's capacity to investigate and to prosecute, and your willingness, quite frankly. It is interesting that during that period of time, while the minister often will respond and say that you've toughened regulations with respect to water, in fact, between 1996 and 1998 there was a lessening of regulatory requirements under the municipal-industrial strategy for abatement—it's easier to refer to it as MISA. You lessened the requirements there, and you lessened the number of staff who are out there enforcing.

It's interesting what the response of some corporations has been. In that period of time, there has been a tripling of violations in terms of meeting water pollution standards, and during that period of time when there's been a tripling of the violations, two thirds of those companies cited are repeat offenders. It means we are not investigating, we are not going after them, we are not penalizing them, and they are offending over and over again, because they're getting away with it.

You guys over there seem to think you know it all with respect to law and order and criminals, whom you say you've got to get tough with, that you can't let them reoffend, and yet in terms of the environment you're letting them reoffend and reoffend—a total of 167. Let me give you the numbers: the violations of water pollution standards went up threefold, from 1,000 violations in 1996 to 3,363 violations by 1998, so it tripled.

But here is the real kicker. Here is the point that we have to make to underscore our cynicism with respect to the government and this piece of legislation. During that same period, while those numbers tripled, there has only been one prosecution. One prosecution: pollution dis-

charges to Ontario waters, the increasing violations that I've cited, 3,000-plus violations, and only one prosecution.

How can you expect any of us to take this bill and your government's statements seriously? You quietly repeal sections that your former minister proclaimed would make it the toughest legislation. You now make up excuses about why you're doing that. You didn't even proclaim sections that he referred to as being progressive and putting you in advance of the rest of the North American jurisdictions out there.

Now you say you're going to be the toughest because you're increasing the maximum penalties, and yet we can show that under your government, year after year, even while the numbers of violations out there are increasing, the number of prosecutions have gone down. You are not investigating, you are not laying charges, you are not prosecuting; you are not therefore getting convictions and getting penalties. Therefore, the dollar amount of the penalties in terms of environmental fines has dropped way down. And we're supposed to applaud you because in the legislation you are increasing the maximum that hypothetically, mythically, you might be able to get if you investigated, prosecuted, convicted—and then penalized?

I'm sorry, you get no brownie points from me on this at all. This is quite shocking to think that you can stand up and beat the drums the way you have with respect to this. There were other things in that cabinet submission that interestingly enough don't show up in the legislation either, and yet the government claims that this is the toughest. They ignore the bureaucrat's own recommendations with respect to a number of things. I mentioned already the recommendation with respect to administrative penalties in the whole administrative structure, that you move to absolute liability to avoid the due diligence argument. That's not in the legislation.

You know what else is in the cabinet document? It's interesting. There was a recommendation for a 1-800 snitch line to report environment polluters, those people who are violating our environment laws. You will remember how quickly your government went to introduce a snitch line on people who violate welfare laws. When you want to move on something like that with respect to welfare recipients you move very quickly, but with respect to snitching on corporations that are polluting, that are spoiling our natural resources, that are poisoning our water and our air, violating the laws that are in place that are supposed to stop them from doing that, and the ministry says, "Put in place a snitch line," do you do it? Oh no, that's too tough on corporations. It's OK for welfare recipients; it's not OK for corporations.

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The legislation also called for the establishment of a 500-person increase in investigation, a SWAT-team approach of people who could come in and really beef up the ministry's capacity to investigate. I read the numbers into the record a while ago with respect to staffing levels in the ministry, but it is worth repeating that in 1991

there were 2,778 employees in the Ministry of the Environment. The following year, 1992, that increased to 2,917. The following year it went up to 3,000. In fact, in 1995 it was 3,103 employees. Now, Mr Speaker, I want you to listen. The end of 1995 was when the Harris government came into power. Right after that, in 1996, the numbers dropped to 3,024. In 1997 they dropped again, to 2,456. In 1998 they dropped again, to 2,220. In 1999 they dropped again, to 2,159.

The cabinet submission said, "We can't do the work of enforcing these laws. We can't protect the citizens at this level. We need immediately to bring in an influx of inspectors and scientists and others to back it up. We need 500 new staff." What did the ministry do? They announced a SWAT team of 60 people, and they're not even full-time regular jobs; they're contract, term positions.

I don't know what anyone can expect, in the face of all the evidence, the reports from CELA, reports from the Environmental Commissioner, reports from group after group, when we see what's happened in Walkerton, when we see the government's actions with respect to the Adams mine, when we see their response on a whole range of environmental programs that were in place in this province that they cancelled, and their lack of commitment on the capital side to renewing the infrastructure—lots of words about these things but no action. What we get is a bill that means very little in reality but with all of the words of excess about it making your government the toughest environmental enforcers in the North American jurisdiction, if not the world—I dare say, if not the universe, the way in which the minister built this up.

The bottom line is, this legislation, while I have no objection to moving the maximum penalty number to a higher amount, means nothing if there are not investigations, charges, prosecutions and resulting fines afterwards. Your track record year after year—and I have spelled it out; if you can refute it, please do, but I have given you the year-after-year records—shows the decrease in staff and the resulting decrease in charges, the resulting decrease in prosecutions and convictions and the resulting decrease in fines. Please convince me how this bill is going to make one iota of difference given your dismal track record in terms of environmental enforcement.

The Deputy Speaker: Comments and questions?

Mr R. Gary Stewart (Peterborough): Mr Speaker, thank you very much for allowing me to be just a part of this debate.

I've listened all afternoon and certainly tonight, and there seems to be a major attack on anybody who is in the private sector these days. If I look at what has been said regarding water testing etc, I get very concerned.

I want to say publicly that in my riding of Peterborough we have a company called Lakefield Research. Probably 50% of Lakefield Research's business is water testing. They are the private sector. They are second to none in the world. They do business all over the world.

They're the largest tester, I believe, of any municipal water facility in this province, if not in this country. When I look at the quality and the expertise that this particular company has to be involved in the business that they are in, I am very excited and I am very proud of their track record. I am also very proud of the track record of many other people in the private sector.

It interests me that all the folks who talk against this do business with lawyers, they do business with doctors, they do business with grocery stores, and they do business buying cars. They do 99% of business with the private sector. I can't understand why it's so bad in one little area for people who have that type of expertise. In fact, I would wager that many of the people these private sector companies have hired—I understand they have found they've had to retrain the people who came from the public sector to work there. As I said, the company that I saw and watched is second to none in this province, and I'm proud of it.

Mr John Gerretsen (Kingston and the Islands): Just to the last member, nobody on this side has anything against the private sector, but what we're talking about is government's responsibility to everyone to safeguard the environment.

I would like to congratulate the member for Beaches-East York for an excellent presentation. I wasn't aware of the fact that directors and officers of corporations are no longer liable, that that was very easily taken off the legislation. As a matter of fact, I would suggest—and this is just a matter of general information that I hope we can do something about—that the way some of these bills are reported, it's almost impossible for an individual to realize what is happening. There ought to be clear-cut explanations. That's what the explanatory notes are all about. If a significant change is taking place in the legislation, that should be set out in the explanatory note. For that kind of information, that directors and officers now are no longer responsible, not to be included, I don't know where the problem lies, whether it's with legislative research, whether it's with the ministry, or whoever, but it simply isn't correct to deal with the matter that way. I suggest that we take a look at that and we make some changes in that.

I thought her presentation was excellent. What it basically boils down to is that this government talks a tough line on a number of different issues, it talks a tough line on the environment, but in fact does exactly the opposite. We've seen it with respect to crime and we're now seeing it with respect to the environment.

This bill does not address any of the issues that the Environmental Commissioner talked about in his report of July 27. It just talks about tougher penalties for laws that aren't being enforced anyway.

Mr Garfield Dunlop (Simcoe North): I'm pleased to rise this evening to speak on second reading of Bill 124, the environmental penalties. I'd like to make a few comments to the member for Beaches-East York. I'm amazed at the numbers of the staffing that you mentioned here. I think earlier you mentioned that when you took

office there were 2,278 staff members at the Ministry of the Environment, the first you were a member of cabinet, and today, after you increased it to 3,103 members, in what I would consider to be the worst economic depression that our country ever had, in fact this province—you added 800 or 900 staff in that five-year period. I find that amazing. Right now, according to the numbers you've got, we're back at 2,159 employees. So we're about 100 employees fewer than when you took over from I think the Liberal government, the Peterson government. We're about 100 employees fewer than that. Is that a fact?

Ms Lankin: It is 600 fewer.

Mr Dunlop: I thought you said 2,278 to 3,103.

The fact of the matter is we keep talking about these terrible people in the private sector.

Mr Gerretsen: No, nobody said that.

Mr Dunlop: That's what we're hearing tonight. That's exactly what we heard here tonight.

Interjections.

Mr Dunlop: You've tried to say that all evening. That's all we heard all afternoon as well, that if you're from the private sector you're automatically trying to cheat the system and you deserve a major penalty. I actually am very offended by that, because it's the private sector that has created 740,000 jobs in this province in the last five years. I think that in a lot of cases, there should be some apologies to the private sector for the way they're treated in this House.

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The Deputy Speaker: Comments and questions? The Chair recognizes the member for West York.

Mr Sergio: West York, York West, that's fine, close enough, Mr Speaker.

To respond to the comments by the member for Beaches-East York, I have to say that not only does the member know exactly the salient points contained in the bill, but this is an issue she has been dealing with a lot with respect to the environment, and not solely when it comes to water preservation, water conservation, water protection and stuff like that.

I think the member is quite right when she says the government keeps on telling the House, hoping it will get down to the general public, that they are proposing these new tough laws, but how do you trust this government when they have decimated the environmental ministry since taking office?

It's because of the consequences that they have to introduce this bill. There was no need. If they hadn't gone ahead and done the cuts they did, there would have been no necessity to bring this about on the people of Ontario. Because of the consequences, we have unfortunately seen what happened in Walkerton. Now they say they are going to double and triple the fines.

But how are you going to do that when you are not putting in any amount of money to compensate for the 45% of staff that the government has cut? Enforcement, prosecutors: how are you going to enforce that? It's fine to have it on the books, but I would recommend to the government that if you want to appease the people of

Ontario, put in some money and then you will see the difference.

The Deputy Speaker: I want to apologize to the member about your riding. I was using the French terminology. My apologies.

Mr Sergio: It's quite acceptable, Mr Speaker.

The Deputy Speaker: The member for Beaches-East York has two minutes to respond.

Ms Lankin: My thanks to the members who responded. I appreciate the member from Kingston and the member from West York and their comments.

I would, however, like to say to the member from Peterborough, first of all, the—

Interjection.

Ms Lankin: Well, I'm from East York so you've got to be from West York. You're from York West and I'm from York East, then; I don't know.

Member from Peterborough, I have to say to you that your response—I appreciate your comments of confidence in the company in your riding—really had absolutely nothing to do with any comment I made on the bill, and you were responding to me. I know people stray off, but it really did not address any of the comments I made.

Interestingly enough, the member from Simcoe North, when I was challenging him on the numbers he was using, because he heard me wrong and so his math was a little wrong, immediately picked up what you said: "Well, I was really offended by what the member said about the private sector and the attack on the private sector."

I never said anything about the private sector. I attacked your government. I attacked your record of lack of conviction and lack of environmental penalties. I attacked your government for quietly repealing a section which would allow you to hold directors and corporate executives accountable. I never said anything about the private sector, so I don't know where that comes from.

To the member from Simcoe North, let me make the record clear. What I said was that in 1991, there were 2,778 staff. That went up to a high in 1995 of 3,103, and is down to an all-time low in 1999 of 2,159. That's 600 fewer employees than a decade ago, not 100 fewer.

I want to say, yes, during a massive global recession, the NDP did choose to maintain and increase investments in protecting the environment because we recognized the key role government has to play. I only wish the government of today, in such good economic times, would recognize the same.

The Deputy Speaker: Further debate?

The Chair recognizes the member for Malton-Gore-Bramalea and Springdale.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): Thank you, Mr Speaker. Pretty close—Bramalea-Gore-Malton-Springdale.

I'm very pleased to join the debate this evening on Bill 124, the Toughest Environmental Penalties Act. I congratulate my colleague, the Honourable Dan Newman, Minister of the Environment, for introducing such a

worthwhile piece of legislation. This bill would make important changes to the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act.

When I was campaigning in my riding in the last election, I was proud to run on a platform that included a strong commitment to a clean and healthy environment in our province. Just look at page 32 of *Blueprint: Mike Harris's Plan to Keep Ontario on the Right Track*. I'm sorry, it's not page 32, it's page 33. Page 32 talks about 378 new parks we will create, but that is off topic. Usually the opposite side is off topic.

As I was mentioning, page 33 promised to establish the toughest penalties for polluters in Canada. We promised to double the maximum fine for a first offence, to double the maximum fine for the second offence from \$2 million to \$4 million, and to introduce the toughest jail terms in Canada for those who repeatedly break the law. I think the member opposite might have said there are no jail terms. There are jail terms, and they are one of the toughest jail terms in the whole of Canada. The *Blueprint* promised an environmental SWAT team to make sure industries obey the rules. I'm proud to say this government is fulfilling these commitments and more. Ontarians know that when you are dealing with the Mike Harris government, a promise made is a promise kept.

Environmental protection is not just a discovery of this government's second term. In the first mandate, the Mike Harris government started work with several important initiatives. Drive Clean, one of North America's largest mandatory vehicle-testing programs, was launched, covering cars, trucks and buses. It will reduce smog by approximately 22%. The Ontario government is also fighting to reduce pollutants from the US, even going to court when necessary. This is a strong record on which to build.

Drive Clean is part of Ontario's anti-smog plan, part of our commitment to cleaner air for Ontarians. We promised action on this important issue and we're taking action. Another part of our anti-smog plan is Ontario's smog patrol. This group identifies vehicles emitting visible smoke on Ontario roadways. Excessively polluting vehicles are stopped, inspected, and, if necessary, escorted to a mobile test facility. Smog patrol officers also check vehicles to ensure that emission control equipment is in place and has not been altered. The smog patrol is a visible sign of our determination to eliminate grossly polluting vehicles from our roads.

This government is a leader in protecting the environment. In January of this year, the Minister of the Environment unveiled tough new actions to improve air quality in the province. The new measures are targeted directly at smog and acid rain to strengthen an already aggressive campaign to improve air quality in Ontario. The government now requires full public disclosure and mandatory reporting of emissions for all major air pollution sources.

Key measures of this plan included mandatory tracking and reporting of all harmful air emissions by

industrial and commercial emitters and tough new emission limits for smog- and acid-rain-causing pollutants.

New emissions monitoring and reporting regulations have been put in place for all electric power generating companies. They will apply to all companies and organizations in Ontario's commercial, industrial and institutional sectors, starting in January next year. In addition, tough new regulatory emission caps will be required in January 2001 for all Ontario's electricity industries and will expand to other sectors to help meet our long-term commitment under the anti-smog action plan.

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Great credit goes to the excellent work done by the ministers of the government's first term for their hard work and success. I think we should all acknowledge the contributions of Mrs Elliott, member for Guelph-Wellington, and the Honourable Norm Sterling, member for Lanark-Carleton. Since the last election, Ontario's environment has again been well protected by the work of the present minister, the Honourable Dan Newman, and also the Honourable Tony Clement, my fellow member from Brampton.

Some out there might ask, why is this bill necessary? Are the present laws not strong enough to deal with the problems we might encounter? Let me be clear. The vast majority of industries and individuals in Ontario care deeply about protecting the environment and ensuring we have clean water to drink, clean air to breathe and that our soil is not contaminated. Almost everyone out there is obeying the rules, not just because they respect the law but because they know that damaging our environment harms everybody, including their own children and families.

I know that most companies and citizens would never willingly pollute, even if we had no environmental laws. Unfortunately, Ontario, like every other society, contains those unscrupulous few who do not respect the environment. This is not just about profit; it's a lack of respect for their fellow citizens.

Bill 124 would stop anyone threatening our environment in their tracks. It demonstrates our government's commitment to punish criminals with strong fines and jail terms—I repeat: jail terms. Polluters will not be allowed to poison Ontario and get away with it.

Respecting the environment is about respecting our fellow citizens. The water we keep clean today is the water our children will drink in years to come. The air we keep free of pollutants and noxious gases is the air our grandchildren will breathe. The soil we preserve is the soil that will grow the food their children will eat.

Our environment is the green infrastructure our nation is built on. Business will only thrive today and tomorrow if our roads, bridges and railways are strong, and the same is true of our air, water and soil. Who would invest in a society filled with pollution? Who would want to live in that kind of society?

I am sure all reasonable people would agree that the government cannot solve all environmental problems. We need a culture that respects and values a clean

Ontario. Those societies that combine an entrepreneurial economy with a free and democratic government have always been best at preserving the environment.

I am sure we all remember the pictures from eastern Europe after communism collapsed. Chernobyl is only the most extreme example of environmental destruction in those countries. Many parts of eastern Europe are so contaminated that they are not fit for human habitation.

Even in democratic nations, those with the least entrepreneurial societies are often the dirtiest. Britain's state-owned coal mines in the 1970s, under socialist governments, remained open for years after they were economically useless, producing one of the dirtiest fuels imaginable. A society of initiative is where the environment can be best protected. Britain today is both one of Europe's most prosperous and clean countries after two decades of Thatcherism.

A clean Ontario is a competitive advantage for attracting business to our province. Industries today are less and less about big factories and more and more about people and knowledge. New businesses want to come to a province with a clean environment for the citizens who will work for them. This bill will help provide the clean environment for these people and for every other Ontarian.

Bill 124's specific provisions are tough. They fulfill our 1999 Blueprint commitments and add to them. The bill would give our province the toughest environmental fines and the longest jail terms in Canada for environmental criminals. The bill proposes to increase the maximum fine for a first conviction on a major offence for a corporation from \$1 million to \$6 million per day, and for a subsequent conviction from \$2 million to \$10 million per day. It will increase the maximum fine for a first conviction on a major offence for an individual from the current \$100,000 per day to \$4 million per day, and for subsequent convictions from the current amount of \$200,000 to \$6 million per day.

It will increase the maximum jail term for a person convicted of a major offence from two years to five years, and it would increase the cap on administrative penalties from \$5,000 to \$10,000 per day. Officers and directors of offending companies would also be subject to the toughest fines and jail terms in the country for major environmental crimes. I think that may address one of the questions the member opposite had.

As an example of this, I was very happy to see the recent announcement of the environmental SWAT team, designed to crack down on deliberate and repeat polluters. The SWAT team is, in the words of the Ministry of the Environment, "a highly mobile and focused compliance, inspection and enforcement team to crack down on deliberate and repeat polluters and ensure they comply with Ontario's environmental laws." The SWAT team will aggressively pursue companies or individuals that systematically or flagrantly defy the law by engaging in practices that threaten public health and the environment.

The SWAT team will be a new group of environmental enforcement officers who will use the latest tech-

nology to catch environmental criminals. They will have access to the state-of-the-art communications technology that allows them to draw on broader resources and information without having to leave the field. The team will be able to identify new and emerging trends and problems, developing a superior ability to protect the environment.

The SWAT team will be set up as a separate inspection, compliance and enforcement unit within the Ministry of the Environment. It will have its own management structure and services. Members of the team will include inspectors, investigators, environmental engineers, environmental program analysts, scientists and lab technicians. The investigators will focus solely on the investigation and prosecution of environmental infractions identified by the team's compliance inspections.

By bringing polluters into compliance with Ontario's environmental standards, the SWAT team will stop companies and individuals that have no respect for Ontario's environmental protection laws. They will protect the environment, focusing on areas of greatest concern, such as air and water quality and hazardous waste. The result of the SWAT team's compliance, inspection and enforcement activities will be made available to the public.

Recently, the government passed the drinking water protection regulation to ensure the protection of drinking water for all Ontarians. This regulation, for the first time in the province's history, mandates that testing and reporting requirements for Ontario's water will have the force of law.

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The new regulation is part of the Ontario government's Operation Clean Water, a broad action plan to ensure the safety of Ontario's drinking water. The regulation applies to water treatment and distribution systems that require approval under the Ontario Water Resources Act, including municipal waterworks and other large systems.

This regulation requires regular and frequent sampling and testing as well as stringent treatment requirements for all drinking water, testing to be done only by accredited labs, full public access to water quality information and, most importantly, clear requirements for the immediate, person-to-person communication of reports of potentially unsafe water situations to the Ministry of the Environment, the local medical officer of health and the waterworks owner. As a government, we are committed to ensuring that all Ontarians have safe, clean, drinking water.

With the Ontario government so active in protecting our environment, one is led to ask: What action is the federal Liberal government taking to fight pollution of our air, water or land?

On October 16, just a few days ago, Ontario's environment and energy ministers demanded the federal government provide cleaner air for all Canadians by immediately committing to tough national air quality and climate change standards for the whole country.

The federal government is indifferent to the struggle to combat climate change and improve air quality for all Canadians. They just don't seem to understand that fighting smog and pollution is a North American problem. Canada shares a continent with one of the world's biggest producers of greenhouse gases and smog and we need to work with the United States to effect change. The federal Liberal government has failed to secure any new smog-emission reductions from the Americans at the US-Canada Ozone Annex negotiations, despite the fact that over 50% of Canada's smog originates in the States.

Jean Chrétien and the Liberals sold out Canadians during the smog negotiations with the US, where they settled for the status quo instead of seeking any new lower smog commitments. This international failure by the federal government makes smog fighting in Canada even more urgent. The federal government must provide cleaner air to all Canadians by immediately committing to tough national air quality and climate change standards for all provinces and territories.

But what did they do when they had the chance? The federal Liberals refused to act. At a meeting of environment and energy ministers they failed to provide cleaner air for all Canadians by refusing to commit to tough national air quality and climate change standards for all provinces and territories. Jean Chrétien's refusal to act has made action by Ontario even more urgent. The province recently issued an environmental challenge to Canada.

On behalf of a government committed to improving the environment and our quality of life, Minister Newman told the federal Liberals, "I challenge the federal government, and the provinces and territories of Canada, to meet the tough environmental measures Ontario has implemented."

Bill 124 puts this province on the map as an environmental leader. It is our signal to all companies and individuals that the government will fight against polluters.

I am proud to support this important bill, and I call on all members of this house to give it their support.

The Acting Speaker (Mr Michael A. Brown): Questions and comments?

Mr Gerretsen: If someone had fallen off the face of the world for two weeks and not known what was going on with respect to the environmental summit that took place in Quebec about a week and a half or so ago, you probably would think that it was the federal government that refused to sign the clean air document that was presented to all of the provincial ministers of the environment and the federal Minister of the Environment in Quebec last week. But we all know that exactly the opposite happened. Every province signed on to the new clean air document except for the province of Ontario.

I would like the member to explain in the two-minute response that he has and put the record clearly and straight whether or not that is the truth the way he understands it. Alberta signed on, British Columbia signed on, Saskatchewan signed on, Manitoba signed on, all of the Maritime provinces signed on, Quebec signed

on. The only province that wouldn't sign on was Ontario. As a matter of fact, the Ontario Minister of the Environment was held to ridicule and scorn by just about every environmental group in this country. So for him to suggest that the federal government didn't sign on, when after all it was their initiative, totally endorsed by the other provinces, except for Ontario, is totally incorrect. I would ask the member for Gore-Bramalea to set the record straight and acknowledge to us that it was indeed his minister that was held up to ridicule and scorn by every environmental group in this country.

Ms Lankin: I appreciate the opportunity to respond. I sometimes wonder whether any of the discussion or dialogue we have in this place means anything, if anyone ever listens to each other. The member stood up and read his prepared government speech verbatim, after the discussion that took place in here, and he said things like, "These new penalty levels are going to stop polluters in their tracks."

I have to laugh. I had just finished pointing out that over a four-year period, since the Harris government took office, environmental fines dropped in this province from a high of \$3 million in 1995 to about \$860,000 in 1998. Our record continues to worsen.

I pointed out to the member that staff have dropped to an all-time low. In fact, in per capita spending today your ministry spends less than when the ministry was created in 1971 or 1972. I pointed out to the member that there are fewer investigations, fewer charges being laid, fewer prosecutions and convictions and therefore fewer penalties. In fact, we're seeing increased numbers of violations with respect—

Interjection.

Ms Lankin: We're seeing an increased number of water pollutions, I say to the member from the Kitchener area, triple the number of water pollution violations by 1998 and yet there has since then only been one prosecution. It is a joke to suggest that these new numbers, higher fines, are going to stop anybody if you're not prosecuting.

He talks with great pride about the 60-member SWAT team that's going to revolutionize the world. You've cut 1,000 staff. The ministry cabinet submission recommended a 500-member SWAT team and you hired 60 people on a term contract. I mean, please. You're falling so short of the mark, every independent group that has reviewed your government's actions on the environment gives you a failing mark. How can you stand and claim praise?

Mr Wayne Wettlaufer (Kitchener Centre): It's really interesting to listen to the socialist hordes preach that they are the only ones who are concerned about the environment. I never know which socialists hordes are the most socialistic, the Liberals or the NDP. But at least the member back there from Toronto Centre-Rosedale admitted that he was socialistic, because he said, "At least we."

Anyway, I noticed here that there were some criticisms levelled by the Provincial Auditor. "In a

stinging indictment of the environment ministry in his annual report last month the auditor said the ministry places too much trust in the polluters and ministry handled complaints from the public so sloppily that polluters sometimes escaped consequences. Bradley—that must be Jim Bradley, the Liberal; he was Minister of the Environment—“says he could question some of the auditor’s findings but that would not be productive.” That was 1987 when the Liberals were in power.

The NDP—Bob Rae, he was the Premier. He said that the NDP would pass an Environmental Bill of Rights giving citizens the right to take polluting companies to court.

Our government is passing this legislation. We’re talking about major penalties here in this legislation. We’re talking about an increase in the fine from \$1 million in a corporation’s first offence to \$6 million; subsequent offence, presently \$2 million, to \$10 million.

Compare this to other provinces. Saskatchewan—

The Acting Speaker: Thank you. Questions and comments?

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Mr George Smitherman (Toronto Centre-Rosedale): I’m honoured to have two minutes to comment on the nutrient-enriched sloganeering of the member for Bramalea-Gore-Malton-Springdale. If only one of these members just once would stand up before this House and fill the time they’ve been allotted without reading some 10-minute sloganeering prepared by some ministerial assistant somewhere, then maybe we’d learn how it is that a government that brings in a bill with all of these presumed penalties expects to have the money collected for them. Are they voluntary penalties? Will this be like a hockey game where you play without a referee and linesman? The penalties might indeed be on the books but, if they can’t be enforced, they’re worthless.

It’s interesting that the only thing that caught the member from Kitchener Centre’s attention was the amount of the fines. It seems the only time he knows that a number is really big and significant is when it’s more than a table at a Tory or Alliance fundraising dinner.

I want to say just one last thing while the member from Bramalea-Gore-Malton-Springdale still graces us with his presence, and it is this: if he really cared about the things he said, if he really wanted to go back and read those into the record and think about the impact on the constituents he represents in Brampton and Mississauga, he’d really begin to wonder why he’s part of a government that refuses to make the necessary investments in the elimination of smog and improvements to quality of life through public transit.

The member for Durham is here as well and he knows this is a huge issue for his constituents, who every single day spend hours and hours of their time looking at the bumper of the car ahead of them while their engines idle, causing smog. But this government makes no commitment to that because it’s tough stuff and it actually costs money.

When Dalton McGuinty soon becomes Premier of this province, the citizens of the greater Toronto area will be infused with a vision from a party and a government that know what it’s like to create a better quality of life.

The Acting Speaker: Response?

Mr Gill: It is indeed a pleasure to respond to the speakers from Kingston and the Islands, Beaches-East York, Kitchener Centre—my colleague—and Toronto Centre-Rosedale.

The member from Toronto Centre-Rosedale just talked about smog reduction. I’m going to take you back—and I’m sure you’ll remember—to 1969-70, when you would hear pollution indexes on the radio every morning. Every morning they’d say, “The pollution index is so-and-so. Please, if you have any health problems, don’t go into the city.” Ever since then things have changed: you don’t hear those pollution indexes; you don’t hear those warnings every day, “People with heart problems, don’t go to the city.”

The member from Beaches-East York said their government was very big, that their government was spending more money. That is no measure of how good a government is. We believe in lesser government. We took down the number of members from 123 to 103. We are spending the money where the money is needed. They were going to spend the money to come out of the recession; they were going to spend \$11 billion to work their way out of the recession, and look where they took us. I can assure you that people at home don’t want to go back to the doom and gloom, of 10 years ago, Liberal and NDP governments. That’ll be the day when, as the member from Toronto Centre-Rosedale said, McGuinty will be the Premier. No way. He’s not up to the job. We’ve said that before, and I’ll be happy to repeat that, just like the members on the other side.

Mr Gerretsen: Let me just say that we’ll let the people decide, three years from now, who is up to the job and who isn’t up to the job.

If there is one thing the people know quite clearly, it’s that you are not protecting the environment. You can call this bill anything you want. You’ve called it the Toughest Environmental Penalties Act. But that’s all they are. All you’ve done is increase the penalties, and you’ve done absolutely nothing else. As a matter of fact, as has already been stated by many other members, all you have done is cut about 900 people out of the Ministry of the Environment, including 140 enforcement officers. These are the people who, on a day-to-day basis, enforce the environmental legislation that’s on the books and that we’re talking about here. There are 140 fewer of them than there were five years ago. You have cut the budget by 40%, by something like \$141 million. That’s what you’ve done.

Tonight I would like to refer to another document that was released during the middle of the summer by the Environmental Commissioner of Ontario. You may recall that this was the individual about whom there was an awful lot of debate just before Christmas. He was a friend of the Premier. He was the president of his local riding

association. He was not appointed by consensus, which is traditionally the norm for an officer of this assembly, where all three parties agree that the individual should serve as one of the officers of the assembly. It was not done that way. The government imposed its will on the assembly and said, "We're going to appoint this individual whether you like it or not." We on this side of the House were very skeptical about Mr Gordon Miller's appointment, both the NDP and the Liberal Party. You may recall that the House sat for an extra week last December because we felt that was not the right way to appoint an Environmental Commissioner.

He came out with a report on July 27, during the middle of the summer. This may be old news but there may still be people out there who missed it during the summer months. What does he say? The first thing is, "Urgent need to protect Ontario groundwater, says Environmental Commissioner." Let me read to you some of his own words. Not my propaganda like we always hear propaganda from the members opposite, but let's quote the words directly out of the Environmental Commissioner's report. Let's hear from him, the Tory-appointed Environmental Commissioner of this province, as to how he feels about what this government—his friends, or at least so we thought back last Christmas—what he thinks his government is doing about the groundwater.

He starts off by saying, "The Ministry of the Environment, which clearly has the legislative mandate to protect our groundwater, under the Ontario Water Resources Act, seems unwilling or unable to act decisively"—not my words, but the words of our Environmental Commissioner. He continues, "The ministry continues to approve permits for potentially massive takings of groundwater without adequate technical analysis. At best, this may result in an inappropriate private allocation of a public resource. At worst, it may threaten the sustainability of the water supply of hundreds of people drawing on the same aquifer."

Certainly the member from Hastings has brought this up on a number of different occasions. Again, the words of our Environmental Commissioner: this is what he thinks about your environmental policy. He says, "In addition, on at least two occasions, the Ministry of the Environment has appeared to deliberately"—Speaker, these are his words from this written document that I'm willing to table, so I don't want to be accused of using unparliamentary language—"mislead the public by announcing management measures that were not carried out. Such actions are entirely contrary to the ministry's statement of environmental values and to the purposes of the Environmental Bill of Rights."

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Hon Rob Sampson (Minister of Correctional Services): I thought you didn't like this guy.

Mr Gerretsen: That's right. We had our concerns about him. But I can tell you, this report clearly shows to me that our Environmental Commissioner, the man you imposed on this Legislative Assembly, thinks absolutely

nothing about your environmental record. As a matter of fact, he is saying that the ministry "has appeared to deliberately mislead the public by announcing management measures that were not carried out."

It goes on: "There have been many complaints, prosecutions, and incidents of contamination across Ontario, and all across North America and Europe. In many other jurisdictions, including Quebec and the US, there are laws and regulations governing the management of manure," as he was talking about in this case. "But in Ontario there is virtually no control." Why doesn't this act deal with that issue? Let me repeat it for the member from Bramalea-Gore-Malton-Springdale: "In Ontario there is virtually no control" of the management of manure.

He goes on to say, "Under the Environmental Bill of Rights, the minister must consider the statement of environmental values when he makes decisions about regulations such as this. But what the ministry has done is to remove its obligation to be environmentally responsible." Let me repeat that: our Environmental Commissioner is saying that what the Ministry of the Environment has done "is to remove its obligations to be environmentally responsible."

Then he asks a question. Listen to the question, member from London-Fanshawe: "How can we trust a ministry to protect the environment when they have made it clear to the public that they have no such intentions?" Our environmental officer says, about the actions of this government, "How can we trust a ministry to protect the environment when they have made it clear to the public that they have no such intentions?" And then they have the nerve to come into this House, first of all, as was indicated earlier by the member for Beaches-East York, not to deal with one specific section that from now on will severely limit the liability of officers and directors. And there is absolutely nothing about this in the bill's explanatory notes, where you would expect to see that kind of information, which I think is totally unconscionable.

But let's go on, because I think the Environmental Commissioner has a lot to say about the record of this government and the record of this ministry. "Where is the Ministry of the Environment in all this? Isn't it that ministry's job to protect the environment? The major concerns at issue here—such as groundwater protection, surface water protection, protection of aquatic life, and security of drinking water—all fall under the mandate of MOE. Is the ministry unwilling, incapable, or incompetent to perform the task?" he asks. "Or has the ministry management abdicated its responsibility?"

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): Who wrote this?

Mr Gerretsen: I see the Ministry of Community and Social Services yelling across the floor, "Who is writing this stuff?" It is your Environmental Commissioner who is writing this stuff about your government and about your Ministry of the Environment.

This bill is all smoke and mirrors. It talks a good line about increasing the penalties. Why not make it \$100 million? Why not make it \$50 million? If you don't prosecute anybody, if you haven't got the environmental officers out there to do the checking on a day-to-day basis as to whether or not industry, individuals or whoever is polluting out there, then the amount of the fines you have in your legislation becomes totally and absolutely meaningless.

This afternoon we had an opposition day motion that dealt basically with the same topic we're dealing with tonight. How shall I put it? It was not a partisan resolution in the sense that quite often these resolutions have words in them that obviously make it impossible for one party or the other to accept.

Let me read you that resolution. It basically says:

"That this House demands that the government take action on this serious problem by:

"Finally keeping their long-standing promise to deliver a comprehensive groundwater protection strategy"—exactly the same thing the Environmental Commissioner is talking about—

"Beginning to restore the 45% cut to the budget of the Ministry of the Environment"—that's not political rhetoric, that's a fact; you've cut the budget by \$141 million—

Interjection.

Mr Gerretsen: Well, maybe this is incorrect. Maybe there is an error in this. Maybe you haven't cut it by 45%. Maybe you've only cut it by 41%, and maybe that's the reason you voted against it, although I don't think so. It is a factual statement that it was cut by 45%.

"Beginning to rehire the one third of the Ministry of the Environment staff that the government has laid off"—even the member from Simcoe North admitted that there are 900 fewer people now than during the NDP years, when something over 3,000 people worked in the Ministry of the Environment, and now it's 2,100. So it's a factual statement. You even agree with the statement now. Why didn't you this afternoon?

The final clause was, "Immediately passing a comprehensive Clean Drinking Water Act." Why are you against it? With everything that's happened in Walkerton and with the inquiry that's going on, with people all over this province—in towns large and small, in rural areas, in big cities—questioning the quality of their drinking water, wanting to be assured their drinking water is safe to drink, what could you possibly have against passing a comprehensive Clean Drinking Water Act?

In other words, the four parts of the resolution this afternoon are frankly something everybody in the province wants. It dealt with nothing but factual information. Yet you as a government voted against it. I would like you to explain—none of your rhetoric—why you were against the four items contained in the resolution that was before us this afternoon. You will not have any adequate response to that.

I want to go on to talk about the groundwater strategy the Environmental Commissioner feels is necessary to

ensure the people of Ontario can be assured of the best quality of their water supply. I'll read you the seven items he has included herein, and I'm sure there isn't anyone who could possibly disagree with this.

Before doing that, let me say one other thing. I've come more and more to the conclusion that when somebody pollutes the environment, it is not only the fact that they're doing something in a more cost-efficient way as far as they're concerned, right there and then, but what's even more important is that sooner or later somebody is going to have to clean up whatever happens to our environment. It may be next year, it may be five years from now, it may be 50 years from now or it may be 100 years from now. The conclusion I've come to is that when somebody pollutes, there is almost like a hidden cost. It's like giving that industry or that individual a hidden subsidy, because sooner or later government or someone will have to clean up that pollution. Surely no one has the right to pollute our environment.

Let's talk a bit about the groundwater strategy the Environmental Commissioner referred to in his report. He starts by saying that a groundwater strategy should contain many interrelated items: (1) an inventory of groundwater resources and a data management system, (2) long-term monitoring network of water levels for major aquifer systems, (3) identification and protection of sensitive aquifers and groundwater recharge areas, (4) an inventory of current and past uses of groundwater and sources of groundwater contamination and an evaluation of their potential effect on health and ecosystems, including cumulative impacts, (5) a strong regulatory program aimed at preventing contamination, (6) an economic assessment of groundwater value, including current and replacement value and (7) a means of coordinating decision-making between all ministries and agencies that have jurisdiction over groundwater. Those are the seven principles he feels the government should adopt in a groundwater strategy. Who could possibly disagree with that?

Yet the government this afternoon, by its actions, by voting against basically a non-partisan resolution, did exactly that. It once again indicates what has become quite evident about this government's position when it comes to the environment, and that is simply this: we talk a tough line, we put in huge penalties, but we don't do anything about the enforcement aspect.

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This afternoon, I took a look at the Common Sense Revolution. You may recall that document, which the members used to show us at every opportunity during the session that took place here from 1995 to 1999. I took a look at this 24-page document for one purpose and one purpose only, and that was to find out how often and in what context the environment was mentioned in the Nonsense—I mean the Common Sense—Revolution. Do you know how often it was mentioned, Speaker? You don't know how often it was mentioned. Do any of the government members know how often the environment

was even mentioned in this Nonsense Revolution? Not once. The word "environment" was not used once on any of these 24 pages in any way, shape or form.

What you're doing today is completely in line with the position you've taken ever since 1995. As one member said, "We believe in less government, and therefore we will have less enforcement of the environment." That's exactly what you've done. That's what you've done. At least have the intellectual honesty to stand in your place and say, "Yes, we thought it was a good thing to cut the environment by \$141 million; yes, we think it's a good thing that we have cut the Ministry of the Environment staff by 900 people; yes, we think it's a good thing that we've cut the enforcement branch and staff by 141 people." At least have the intellectual honesty to get up and say that. Instead, you've got the Minister of the Environment going to Quebec City and making it sound as if we in Ontario have the toughest environmental legislation possible, and he has the nerve to stand there with his nine provincial colleagues, his two territorial colleagues and the federal Minister of the Environment and say, "We're not going to sign on to this clean air agreement because we don't think it's tough enough." Even the member from Bramalea-Gore didn't say that. He made it sound as if the federal government didn't want to sign the agreement but all the provinces, including Ontario, wanted to sign it.

The point is simply that you have done nothing at all for the environment. What you believe in is self-regulation. You really believe that a company will just self-regulate when it comes to the environment, when we all know that ain't necessarily so. Basically a company is there to maximize profits for its shareholders, and environmental rules and regulations, if you were to fully implement them, may actually limit some of those profits etc. In the long run, of course, we all have to pay, because whatever you do to the environment, somebody's going to have to clean up, and it's usually government somewhere down the line, whether it's five years, 10 years or 100 years from now. That's why I say again—and I saw a lot of puzzled looks—that when you're not strict on the environment, you are giving a subsidy to corporate Ontario out there. If you allow them to pollute our environment, it's like giving them a subsidy, because we will eventually have to go in there and clean up the mess. When I say "we" I'm talking about whoever happens to be the government of Ontario at any given time in the future when it has to be cleaned up.

I see that my time is rapidly coming to an end, but let the people of Ontario know that Gordon Miller, the Environmental Commissioner we opposed, has given a beating to this government in so many different ways, as I've indicated to you today. He thinks this government is a total and absolute failure when it comes to the environment. I, as an individual member, and our entire caucus totally agree with him.

Interjection: Guilty as charged.

Mr Gerretsen: He is guilty as charged.

The Acting Speaker: Comments and questions?

Ms Lankin: I'm pleased to respond to the member from Kingston. I thought his final comments were interesting about the lack of environmental prosecutions, or about environmental enforcement essentially being subsidized by the taxpayer of those corporations that pollute.

I wonder if the member is aware of a November 1999 Supreme Court ruling that deals with Veekens chicken farm. I say to the member, it's actually quite shocking because in this ruling what the Supreme Court said was that if a company can make the case that they violated the environmental laws—they didn't bring in the right abatement equipment or whatever—because to do so would have deprived them of the legitimate goal of making a profit, then that is a defence that would allow them to write off the cost of the environmental mitigation and the environmental fine against their corporate taxes. The Supreme Court has said this.

What has Ontario done, those people who are going to have the toughest enforcement on violators of environmental laws? Have they appealed that ruling? No. Have they brought in a law to make it clear that corporate polluters, violators, cannot write off the fines that are levied against them against their corporate taxes? No. Have they done anything or responded in any way? No.

Not only is this law somewhat of a hoax because they are not out there prosecuting, convicting and levying penalties, but if they did levy penalties, all a corporation has to do is prove they violated those laws because otherwise they couldn't have made a profit and then they can write off the fine—the new, high fine that you're saying you're going to impose against their corporate taxes, therefore being subsidized by the taxpayers in Ontario. Surely if you're going to claim to be tough enforcers, you should take some action against the Supreme Court ruling: appeal it or pass a law to clarify what you have.

Hon Mr Sampson: How short some memories are in this House, I should say to the member from Kingston and the Islands. It was back in 1999, around December, when members from your side of the House staged an entire filibuster. For the people watching, in the language of the House, that means they shut down the business of the House because they didn't want the commissioner for the environment appointed. I remember those days.

Mr Brad Clark (Stoney Creek): Tell us what he said.

Hon Mr Sampson: I will tell the House what the member said, but I want to say to the member that he should take a look at what his leader said.

Interjection: It's 118.

Hon Mr Sampson: Yes, I realize, 118; thank you very much.

He said, "How could this person possibly be considered independent and non-partisan?" yet he stands in the House today and reads at length from a document that he says is non-partisan and indeed independent. In the dictionary, under "flip-flop," it says, "See Liberal." You

guys change your positions in this House more times than some of us change our suits. You've had more opinions on this Environmental Commissioner than I've had hot dinners.

Just in December 1999, you yourself, the member from Kingston and the Islands, stood up in this House and said this individual could never be considered to render an independent opinion on the environment. That's page 1729 of the Hansard, the official record of this House. And now you stand here and say, "We have an independent opinion." Which is it? Can you guys take a position and hold it for longer than 10 minutes or what?

2040

Mr Ernie Parsons (Prince Edward-Hastings): I find the rhetoric from the other side of the House, the government side, can be very discouraging at times but it clearly demonstrates that although we call it "democracy," the reality is the group with the largest numbers can do anything they want, whether it's good or bad for the people of Ontario.

The agreement this government refused to sign is probably a perfect example of that. We believed that once Premier Bouchard signed, our Premier would, because he said he would follow him and would do what he said, but to our shock, the attitude is, "It doesn't go far enough so we don't want to do anything. We're not going to do anything to reduce it."

If we brought forth an example that said, "There are too many drunk drivers on the road; let's lay off some police officers," it would be considered insane. Yet we now have the example of, "Pollution is a problem so we're going to lay off the inspectors." It doesn't matter how large the fine is, if there are no charges laid, there are no convictions reached.

We know that drunk drivers kill and we support the police officers who are employed to enforce the law and prevent that, but we also know that pollution kills. It may be more insidious but pollution kills as surely as drunk driving kills. Pollution in our water kills. Pollution in our air kills. People die from air pollution. People suffer all sorts of medical problems because of air pollution. The pollution that is taking place in this province is a time bomb.

The government side, bless them, want to talk about the process for the Environmental Commissioner's appointment, and they want to talk about what the member for Kingston and the Islands said last fall, because they don't want to talk about the report. They don't want to deal with what the commissioner said in the report. Bring out anything not to talk about it. What happened last December was history. The items the commissioner referred to are continuing to take place, and this government should react and deal with his recommendations.

Mr John O'Toole (Durham): I can't resist the opportunity. The member from Kingston and the Islands often makes himself an easy target and the reason for that is an old saying that goes, "If you don't stand for something, you'll fall for anything." Clearly they have fallen into most of the traps we've set. What we've done is fix

things, and they say it's bad in legislation but then it turns out to be good: hiring the very best Environmental Commissioner to this point.

The record speaks very clearly, as the member was saying earlier. Mr Miller has lived up to his professional reputation, and this government has done the right thing. The evidence is clear. Now, using him as the faithful navigator, we're going to have the toughest penalties, the toughest rules and regulations. I hope they will reflect, think on it very carefully, and just this once do the right thing. This bill we're debating tonight is the right thing at the right time to make sure that the people of Ontario have clean air, clean water and clean soil.

It would appear that someone on the other side is going to speak. I think the point has been made. They should do the right thing and vote for this bill.

The Acting Speaker: Response?

Mr Gerretsen: This government and the members opposite never cease to amaze me. When they haven't got anything else to say, they always start with personal attacks against whoever stands on this side of the House.

If the minister had been in the House right from the beginning, he would have heard what I said, because I told him that we on this side of the House filibustered against that individual, but even that individual has absolutely nothing good to say about the environment. It's interesting that in none of the responses from the other side did they question anything I quoted from the Environmental Commissioner's report. I can only assume they agree with everything the Environmental Commissioner said in his report, because they certainly didn't dissociate themselves from any of the things I quoted from the report.

I also found it kind of interesting that even though the minister had all the Hansards there, he didn't quote out of one Hansard. I know that what he was saying here he will not find in Hansard.

This isn't about the government members and it isn't about me or the members on this side of the House; this is about the environment and the kind of environment we leave to our children and their children. This is about allowing polluters the ability to pollute, and governments in the future having to pick up the cost of cleaning that up.

Interjections.

Mr Gerretsen: They say no. Look, I'll give you an example in my own hometown, where 100 years ago we had a tannery that was allowed to put lead and all sorts of discharge material in the Catarqui basin, at the head of the St Lawrence River. It's going to cost millions to clean it up right now because somebody back then didn't do the right thing. So you do the right thing. Never mind your heavy penalties, get those people back—

The Acting Speaker: Thank you. Further debate?

Mr O'Toole: It's my pleasure to rise this evening and clarify some of the important technical aspects of Bill 124. I think it's important to put into the record that it's An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in

respect of penalties, so it primarily deals with amending three different statutes in the penalty provisions.

If you were to read through this bill, you'd find:

"1. An offence of contravening the act or the regulations, if the offence results in an adverse effect.

"2. An offence in respect of hauled liquid industrial waste or hazardous waste, if the offence may result in an adverse effect.

"3. An offence of failing to comply with a stop order."

Really what it does, and I think it's been mentioned here several times, is significantly increase the fines and penalties. We've found that those fines and penalties are deterrents; the most important mechanism, then, is the enforcements branch. The argument has been made here, and I think it has not been successfully demonstrated, that the number of inspectors remains exactly the same today as it was in 1995. So there has been no change, despite the many significant challenges that the Ministry of the Environment has.

But I think it's important to look at some of the other changes since 1995. If you looked at the Ministry of Energy, Science and Technology today, a good part of that ministry was at one time lumped under the Ministry of Environment and Energy. When the Ministry of the Environment's payroll and budget went down, those people were transferred to the new Ministry of Energy, Science and Technology under Minister Wilson. At the same time, they've also moved a good portion of the Ontario Clean Water Agency, OCWA, out of the Ministry of the Environment in a funding mechanism, as is reported by the ministry.

Now, most would say we need a strong clean water agency, and certainly I would agree with that. That has to some extent been on the record for a while; I think the NDP were the first to create it. But I want to put something on the record. Here's a view that I think is important to record, those at home who have a pen. You can get your pen; I'll wait for a minute. Listen to this: "The Ontario Clean Water Agency, OCWA, has been slow to consider interregional and private sector projects. A Liberal government will redefine the role of OCWA, including developing partnerships with the private sector to deliver cost-effective water and sewage services." This is from the Liberal red book policy. It's important to know that the Liberals thought about it, but they certainly would not have had the courage to do it. The record's clear: the difference between the Liberals and our government is that we actually deliver on our promises.

Mr Rick Bartolucci (Sudbury): You kill people.

Mr O'Toole: The member on the other side, the member from Sudbury, a former teacher, is in my view belittling the debate. Mr Bartolucci tonight is insulting the integrity of the members here listening to an important debate. His comments are inflaming the issue of the debate this evening, just because we're putting on the record their position of waffling.

I want to put on the record again that it's a well-known thesis that the Liberal solution to every policy is tax and spend. Jane Stewart did it the best of all of them,

only she got caught. So I don't want to hear any more barracking from the other side, to use Mr Phillips's point.

This government is committed to having the strongest legislation when it comes to protecting the clean air and clean water in this environment.

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In the remaining time tonight I also want to look at a couple of points we've made over the past while. A few items have not been mentioned that have come up in my riding. I think a very important debate over the last while has been how we deal with our waste. Waste policy is an important area in which I believe this government will act. We've seen that Toronto city council has not had the courage to deal with it. They're hiding behind an election or whatever else. In many cases, if you look at the voting record there, you'll see that their affiliations are such that they'll never form a government; therefore they can't ever make the difficult decisions.

Ontario has 15 regulations related to waste management, topics which include disposable containers, landfill sites, recycling and composting of municipal waste, waste audits and waste reduction plans. We have established a partnership of industry groups, municipalities and the province through the new Waste Diversion Organization, WDO, with a first-year commitment of \$14.5 million to help fund the municipal blue box and other waste diversion programs. That program sets up as an example—and I would say the previous government, the NDP government, did a fine job in erasing—

Interjections.

Mr O'Toole: You can stop the clock. I need as much time as I—

The Acting Speaker: I'm trying very hard to listen to the member for Durham, and the other conversations aren't helping.

Mr O'Toole: So the waste diversion program is just one initiative to deal with waste.

Through our regulatory reform initiatives, we have taken action to make Ontario's environmental registry the toughest in the nation. This is the first time in over 25 years a government has had the courage to make Ontario regulations stronger, better and cleaner. It's a move that has been applauded by environmentalists.

I'm going to put on the record that there are some environmentalists who have the courage. I would be very clear to put on the record some of my constituents who are clear in support of the environment, people like Debbie Vice—they're probably watching tonight; at least I phoned them before I was going to speak—Walter Vice, Kevin Campbell, Wende Campbell, Tony Pratt, Maureen Reilly—Maureen Reilly is a friend of some persons in the House; she's probably worked for some of the caucuses—Irene Kock and Suzanne Elston.

Suzanne Elston is running as a regional councillor in my riding. I have a lot of respect for the time and attention she has given to the environment. I would certainly encourage people to look at people who put the environment high on the agenda. Outside of all the politics, each of us knows—elected people, if you're

listening—the environment issues, the air and the water and the soil that we're talking about, not just in Bill 124—this government recognizes that this has become an ever more important issue to the electorate in Ontario. We're actually doing something about it. Previous governments had their opportunity. I can just think of the waste issue; when I was sitting on regional council, at that time the previous government—with all respect to Ms Lankin here this evening—developed the Interim Waste Authority. I think Walter Pitman was chair. They spent about \$20 million for a siting of waste management; they never found one dump site. Do you know why? Because it is difficult. You're always trying to strike the balance of stakeholders. You've got to deal with difficult decisions, and that's the role of government. That's why we're elected: to serve the public, and in some cases it's a very difficult role. It's not in any form easy, whether it's federal or provincial or local.

Waste is one of the issues that has been on the stage, with respect to the Adams mine site and the previous government trying to deal with it. That is an impending issue now, the whole issue of recycling. All of the waste that you and I and the viewers at home tonight—all the consumable goods and things we use and abuse and destroy actually end up affecting the water and the soil and the air we breathe.

If we look to the future and to a government that first sets up a framework of very tough, stringent penalties to dissuade offenders—and certainly enforcement is a very important part of that mechanism. I believe we're on the right track. I believe that the new standards for water and the commitment to do groundwater studies—no one here can dispute that that is the right direction to take, the right thing to do.

At the end of the day, and if you listen to Justice O'Connor's report, you will find that the first infractions at Walkerton started to occur in 1978, and no one has had the courage to step up to it. If you read the summary in the Toronto Star, there were six infractions prior to May at Walkerton that had to be dealt with. This government has set up the process to finally develop the process and be accountable.

I can tell any of you here who want to know that I've never paid a water bill to the province of Ontario. Water is a regional or upper-tier responsibility. So give it some thought, think of this bill and support it.

The Acting Speaker: Questions and comments?

Applause.

Mr Smitherman: They're applauding for me, Mr Speaker. Let the record show it.

I just want to say to the member for Durham, that was an exercise in incredible courage that I have rarely seen on that side. The member, the backbench member of the seal brigade, ventured from his notes. That is a departure we see too rarely in this House, particularly from distinguished members well in the back.

These voluntary penalties are a very exciting phenomenon. The Harris government has this reputation. They use the word "tough" a lot, but the problem is that they

just talk loudly on crime, just as they're talking loudly on these issues tonight. But the mechanism, the missing piece, is the important part. That's what we continue to see with this government.

The member from Durham well knows that his government is contributing to extraordinarily big environmental problems. Think, just for an example, of the extraordinary policies of sprawl which that government supports and the prime agricultural land that every single day, particularly in the northern part of that member's riding, gets eaten up by government policies which are visionless with respect to making the greater Toronto area a place where people can continue to enjoy a good quality of life. That's the legacy of this government and that's the legacy of this member.

The people in Durham region and Durham riding are calling out for leadership which would show a commitment to reduction in smog levels because of new investments in the opportunities presented by public transit. Instead, we hear from this member more rhetoric and more talk but no action to deal with this significant problem. It isn't just an environmental problem; it's an extraordinary problem of increased commuting times and the corresponding decline in quality of life for the people who live in that member's riding. In an environmental context, he talks about road-building and the capacity to increase people's commuting times instead of dealing with environmental concerns and quality of life for his residents by decreasing commuting times.

Mr Clark: Talking about environmental protection and talking about penalties, this is what this bill is really about: the penalties. They become a deterrent.

I sit in awe, listening to all members of the House, especially the opposition, talking about how to improve environmental protection, and their answer is simply, "Hire more people." That's the simple solution. But I challenge you to go back and check a few things out, because I don't personally believe hiring is the solution. As a matter of fact, I could state right now that we could probably hire 1,000 inspectors and we would still have some problems.

I'd ask you to check out some court decisions; I would ask you to check out a few fights that are happening right now in the courts, whose terminology is "officially induced error." That's where the Ministry of the Environment finds itself in a little bit of a conflict between their abatement office and the enforcement office. The Deloro mine is one case in point. The abatement office deals with an issue, the enforcement office goes in and charges, and the mines declare "officially induced error."

I can give you a point in Hamilton, the Rennie Street dump, where 10 years ago PCBs were found going into a stream. The Ministry of Environment knew about it 10 years ago—not this government—and the abatement people started working with the municipality but never solved the problem. No charges were laid. They were simply trying to facilitate a solution with proponents, which all governments have tried to do, but they didn't

solve the problem. At the end of the day the enforcement branch went in, after a private citizen complained, and they finally laid charges. What did the city argue? Officially induced error. "You knew all about it for 10 years; you didn't do anything about it."

I think we should be looking at how the structure of the Ministry of the Environment operates, which this government is currently trying to figure out, and fix it from there, never mind just hiring more inspectors.

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Mr Bartolucci: I think it's very important that the member for Durham speak about some facts. Fact: cuts to the Ministry of the Environment, 900 jobs; fact: 36% of the staff laid off; fact: \$121 million in the budget slashed; fact: 42% of the budget slashed; fact: NAFTA's Commission for Environmental Cooperation's report, Taking Stock, finds that Ontario is the third-worst polluting state or province in North America and the second-worst air polluting jurisdiction, producing more pollution than New York, Michigan or California—fact.

Now let's see what other experts are saying who aren't in this House. Let's talk about Gordon Perks, OntAIRio campaign, who on October 18 said, "The only leadership Ontario has shown on this issue is to one after another cut or dismantle initiatives that protect our air."

What about John Bennett from the Sierra Club, who last week said, "Your plan is weak. You're not a leader. You are standing up here and you are lying to these people ... you've cut back on every program that existed when you came into office"? That's a fact. John Bennett said it.

What about Gerry Scott from the David Suzuki Foundation, who last week said, "It's ludicrous. Ontario is lagging behind damn near every jurisdiction in North American when it comes to greenhouse gases. They simply don't know what they're talking about"?

Steven Guilbeault said, "Where's the action? Where's the plan? All Ontario has done is list a series of things they have done in the past."

John Wellner from Pollution Probe says, "It is disappointing that Ontario has so thoroughly misinterpreted its smog reduction accomplishments."

Listen, the important think that the people of Ontario want to know is the truth. Give them the truth.

Ms Lankin: Originally I wasn't going to respond to the member for Durham, but after hearing the member for Stoney Creek's response, I have a few words I want to put on the record.

I want to say to you that it's interesting that you say all you have heard is talk about staff, and that more staff won't necessarily solve the problem. I want to point out to you that I have put on the record at least three or four times tonight that the level of prosecutions and fines has dropped dramatically under your government. In fact, in 1995 we were at a point where environmental fines to corporations and individuals were at around \$3 million. You're the government that's claiming to be the toughest enforcer and you're claiming that increasing the amounts of the fines is going to be a deterrent. But if you're not

charging, prosecuting and getting convictions, it won't be a deterrent. In 1998 the total amount in fines that were levied under your government as a result of any kinds of prosecutions and convictions was \$860,000, down from \$3 million. I pointed out that between 1996 and 1998 there was a tripling in the number of violations of water pollution regulations. In fact, two thirds of them were by repeat companies. Since 1998 there has only been one prosecution. So you're not actively enforcing the legislation.

We can tie that to the numbers of inspectors. There could be other reasons. I would say that if there are other reasons, they're more sinister in terms of a lack of commitment in the ministry to do that, but I think it's a lack of capacity. So I think the issues are linked. But look at the facts in terms of those numbers.

You talk about officially induced error. There is a program within government where they give program approvals to work with companies to reach points of compliance at some point in the future. Between 1994 and 1997 there were two approvals given. In 1998, under your government, there were eight programs approved of that sort. So please don't suggest that there is something more vigorous in the enforcement you're doing. All the evidence points to the contrary.

The Acting Speaker: Response?

Mr O'Toole: I appreciate the members taking the time to listen and respond. I'll just go through it.

The member for Toronto Centre-Rosedale talked to some extent about public transit and the important role of reducing emissions from automobiles. We have the Drive Clean program and we have also, through the Greater Toronto Services Board, an initiative that I believe you will see in the next mandate, after the municipal election, that will have a significant role to coordinate transit across the many municipalities.

The member for Stoney Creek took a very strong and well-informed position, not essentially in defence of anything I had said but certainly to talk to the issues and specifically bring it down to what this government is doing.

To the member for Sudbury, with all respect, I think we could argue and play tennis back and forth. I could quote experts, and I'm going to, that support the other point of view. It really may not be fruitful, but there is a record here.

Ken Ogilvie of the environmental watchdog group Pollution Probe, who have a different job than ours, called the new law, "'a good piece of work' because it transforms what were guidelines into legally binding standards." That's in the Canadian Press, August 9, 2000.

Let me read another position from the Toronto Star, November 25, 1982. It says, "Premier David Peterson's self-proclaimed 'toughest environmental laws in North America' face tough criticism from auditor Douglas Archer's report for being weak and ineffective," and in some cases there's not much more here than words. "There needs to be less trust and more enforcement."

In conclusion, I think the member from Beaches-East York talks about the important part of enforcement. I believe that challenge will be before us, and I think that's exactly where the tire hits the road. This government set tough standards—

The Acting Speaker: Thank you. Further debate?

Mr Sergio: I'm delighted to join the debate on this important bill for the next few minutes this evening.

Let me make my comments on the latest proposed bill by the government, called Bill 124. The government thinks it's going to introduce the toughest penalties on polluters in Ontario. As a matter of fact, the intent of the bill is to make amendments to the Environmental Protection Act by increasing the fines from their present limits to amounts, for a corporation, from \$2 million to \$10 million, and for individuals, from \$100,000 to some \$4 million.

Why is this necessary? How did we get to this situation? What has prompted the government to resort to this type of farce, if I may say? They keep on bringing this type of legislation with no teeth, with no enforcement.

Lately we have seen the government championing the cause of being the toughest. But when it comes to doing something, they don't have the tools in place to carry out the responsibilities they themselves say they should be doing, and we have seen that. I hope that in the next few minutes I'll be able to partially get to some of the events that have taken the government to the stage where they have introduced this type of law.

First of all, why are we here? It's because of the consequences, because of their own doing, because of the cuts they have made to the various departments. I don't have time to go into all of those. I will try to limit my comments to the bill itself, as it has been introduced, without circumventing to others.

It is because of their cuts to the Ministry of the Environment. They cut one third of the staff, which was about 900 employees. That included not simply telephone answering, the clerk types and the secretarial types. It included people who were, day in and day out, doing the heaviest, most important jobs out there, such as inspectors, enforcement officers and prosecutors. On top of that, they downloaded a lot of the responsibilities to the local municipalities which, again, were strapped by the provincial government with the downloading of various other responsibilities.

The government decided to cut 42% of the budget of the Ministry of the Environment, and that amounted to some \$121 million. When you cut one third of the staff—900 employees—and \$121 million, it is bound to carry some effect down the road to the people of Ontario. It doesn't matter how it gets there. If it gets to the local municipalities or to the local provincial government, the people of Ontario know they have suffered some consequences. In the last few months we have seen some of the most disastrous consequences in the history of Canada when it comes to death because of pollutants—I speak of the case of Walkerton.

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Since they took power in 1995, fines have gone down by some 66%, and we wonder why we are in this predicament. Since 1995, fines have gone down 66%. In 1998 alone, some 3,300 cases were documented for pollution violations, breaking the laws of our province with respect to water pollution. Only one case was charged, prosecuted and convicted—one case out of 3,300. In February 1999, Ministry of the Environment inspectors were told to provide no further response to public concerns, public complaints of incidents reported to them by Ontario citizens complaining about the breaking of environmental laws with respect to illegal dumping of sewage, pesticide infractions and water pollution.

As Liberals we believe, and our leader, Dalton McGuinty, has been saying this in the House time and time again—our record is clear, our record is solid and our commitment is very firm: to protect the environment.

Today we have seen one of our members, the member for St Catharines, together with our leader, Dalton McGuinty, introduce a resolution with respect to a Clean Drinking Water Act. I think that's fair. If we were to ask the people of Ontario, "Would you like to see an act which would give you clean drinking water?" in their common sense they would say, "Are you crazy? Of course." But lo and behold, members of the government all rallied to defeat the resolution of Dalton McGuinty and the member for St Catharines, to say, "No, we are opposed to passing this resolution."

Do you need any more proof that the Harris Conservative government is not serious when it comes to the environment, regardless? And what for? If it's protecting the underground or aboveground water or our forestry or the air we breathe, everything that's got to do with the environment—in the last five years, they have passed legislation that has weakened every piece of legislation we have had on our books which for years has protected the environment in Ontario.

Bill 76 is now tying the hands of the Environmental Assessment Board to review major environment projects. How do you like that? Bill 57 gives the minister sweeping powers to exempt any person or activities from the environmental protection agency. Bill 107, another bill introduced by this government, downloaded on to municipalities responsibility for some 230 water and sewer plants, formerly owned and under the responsibility of the provincial government, owned and operated by the province of Ontario.

Our record is clear. The record of the Mike Harris government is there and speaks for itself. I have to say, when it comes to the environment, it is shameful. With respect to water pollution, we are now second only to one state in all North America, the wonderful state of Texas, as polluters, and third in North America when it comes to general pollution.

My colleague on the government side, the member for Durham, says we have the toughest record in the nation. I have to say to the members of the government and the

Premier that they have the best record in pollution in the whole of North America, let alone our province.

Unfortunately, there is only one minute left, but let me say this: we cannot provide a clean, safe environment with safe drinking water unless this government, unless Mr Harris, decides to take the bull by the horns and starts to replace some of the 900 people who were eliminated, fired, some two, three or four years ago, and unless the government starts to put some money back into the ministry and says we do need those inspectors so that they can go out and inspect some of those water wells that are causing people's deaths. We have seen that. I am sure no member on either side of the House wants a repeat of what we have seen in the last few months, but the only way to accomplish that is to really do something about it and not solely introduce a bill in the House that has no teeth. Unfortunately, the bill, the way it is now, will not accomplish that on behalf of the people of Ontario.

The Acting Speaker: Questions and comments?

Mr Dunlop: I'd like to make a few comments to the member from York West. I'm amazed at how you feel, that increasing the penalties will not have any impact across the whole province, but that's up to you, it's your decision and I realize it's what you may think about it. What I'd like to say, though, is that as we sit in an assembly like this with members from all across the province, I can't imagine anybody who doesn't have very strong feelings about the environment. I never throw garbage out my car window into the ditches. I know thousands of people do—plastic bottles—

Interjection.

Mr Dunlop: Maybe that doesn't mean a lot to you. That may not mean much to you, but I happen to clean up ditches in my area where I—

Interjection.

Mr Dunlop: Yes, because people do throw out a huge amount of garbage. I don't know why they would do that. The fact of the matter is I do that. It's a fact that Mr Wilson looks after streets in Wasaga Beach. He has a street where he and his staff clean up the garbage a couple of times a month. I think that's admirable. I personally sponsored David Suzuki. I was one of a group of partners who helped David Suzuki come to the city of Orillia to speak. David Suzuki talked about the environment. He talked about all levels of government and all different parties, right across our whole country. We all have a lot of improvements to make in the environment. He talked about the BC government and then he talked about the fishing regulations and how the federal government was letting down the fishing industry with netting and that type of thing, and how it was affecting the environment.

We're all proud of environment. You may not agree with some of this legislation. I do agree with it. We are the government and we will pass this legislation, and it will be more restrictive and we will increase the fines for those people who are polluting in this country.

Mr Smitherman: It's a great opportunity to have a chance to comment on the speech by my colleague the member from York West. I think it was an excellent presentation. The one thing I want to comment on is this numbers game. I've been hearing this extraordinary debate across the aisle today with respect to the numbers, and the number of employees. I want to say to those hundreds of thousands of people who are watching at home that I think they would have the common sense to understand—you guys have given common sense a bad name—that if you're going to have tough laws on the books, the ability to enforce those laws is equally important.

The key point we've been making tonight, and it's hitting home, if not with the members opposite then with the people at home, is the understanding that of course in a city, to be safe, it's not the quality or quantity of the laws on the books but rather the role the police may be playing to enforce those laws.

That raises an interesting point, which is that under Mike Harris there are fewer police on the streets of Toronto than there were before he came to office. The key point I want to make, though, is this, and I think the member did an excellent job of it: imagine for a moment that we were sitting in the homes of people in Walkerton and listening to this debate. I think they would pass serious judgment on government members who suggest there is no correlation between the number of people enforcing laws and the quality of those laws and the role they can play in having an effect. I think that's a really important point. In deference to the people of Walkerton, government members would be well advised to think about the way their remarks must be playing in that community.

The last thing I want to say is that I find it shameful the province of Ontario is in a position where we're chasing Texas to the bottom. I'm ashamed that Mike Harris thinks George Bush is an environmental leader.

2120

Mr Wettlaufer: It was a little surprising to me to see that the members opposite would get up and harp about the environment the way they were, and yet when my colleague here, the member for Simcoe North, got up and spoke about picking up garbage, he was ridiculed by the members opposite. One member was laughing. The member for Toronto Centre-Rosedale laughed. Another member was going like this. They love to ridicule when we talk about it, but they love to get up in front of the camera—

Interjection.

Mr Wettlaufer: There he is. He's still at it.

The Acting Speaker: I am trying to listen to the member for Kitchener Centre. Just the member for Kitchener Centre should be speaking.

Mr Wettlaufer: Thank you very much, Mr Speaker. I appreciate that.

These members are the same ones who were harping not too many days ago on the fact that the city of Toronto was going to ship its garbage up north to the Adams

mine. They thought how distasteful this was, but I haven't heard one word out of them, not one word out of them in the last couple of days, when we find that now the city of Toronto is going to truck thousands of truckloads of garbage down the 401 over the course of the next year. They're trying to arrange this contract to truck thousands of truckloads carrying five and 10 tonnes of garbage through residential areas, large built-up municipalities. In my municipality of Kitchener-Waterloo, we've got 450,000 people and we're going to have garbage trucking through our area. Let me tell you, the people in this area do not like it. Toronto is the biggest polluter on this planet, for crying out loud. You don't recycle any more than 10% of your garbage.

Mr Smitherman: That's a lie.

Mr Wettlaufer: It is not a lie.

The Acting Speaker: Order. The member for Toronto Centre-Rosedale will withdraw.

Mr Smitherman: No, I won't, Mr Speaker. He lied.

The Acting Speaker: Will you withdraw?

Mr Smitherman: No, I won't.

The Acting Speaker: I name the member for Toronto Centre-Rosedale.

Mr Smitherman was escorted from the chamber.

The Acting Speaker: Questions and comments?

Mr Bruce Crozier (Essex): I may not take the two minutes, but the member for Kitchener Centre said that he hasn't heard anything from the members across about the fact that garbage may be trucked down the 401.

Mr Wettlaufer: It's through your riding too.

Mr Crozier: The member from Kitchener says it's through my riding. I know better than you where I live and I know it will be through my riding. I know it will be Steve Peters's riding. I know it will be other Conservative members' ridings. It will be Sandra Pupatello's riding. The point you made was that you haven't heard anything from any of them. Then obviously you don't listen to the news, you don't watch the news, you don't get the clippings. On Friday afternoon, after the announcement, we made some comments about that. But these are public highways. We can't simply stand up and say, "You can't do that." What we're looking for from this government is something we haven't had, and that's leadership. If it isn't going to go up north and be put into a pristine lake, which your Premier supported, then it's going to go somewhere. Now what they're looking for, along with us, is some leadership.

Mr Wettlaufer: That's what we were trying to tell you.

Mr Crozier: No, we don't want it to pollute our environment by 250 more trucks travelling down the 401.

What I'd like to hear from your government, and from all of us here for that matter, is, what are the alternatives? What are you going to do, what's your government going to do to lead this province in reducing waste, in preventing us from burying waste? What are you doing? You're the government of the day. You want to take credit for everything that's good. Then you had better help take credit for some of the things that should be done in this province. Get off your butt and let's all work together to see what we can do with that garbage.

The Acting Speaker: Response?

Mr Sergio: Thanks to all the members who have contributed to the debate. Let me say, especially to the member from, I believe it's Simcoe North, that the new fines, the heavy fines are a deterrent; sure, it may sound like a deterrent but I think we need more than that to convince people not to pollute.

I think it was the member from Durham who said, "When we have a problem, we set up a process." I have to say that's too late. Once people have died, it is hard to set up a process.

This is what we do because we take the environment and all aspects of the environment, and I believe every member of this House takes the environment, seriously, but I believe that we as Liberals, as our leader has said many times, are taking it very seriously. Under Dalton McGuinty, the Liberal side here has made many worthwhile suggestions.

I hear the government say, "Look, what are you going to do? What are you going to suggest?" You come into this House. This is what Dalton McGuinty kept saying in this House time and time again. He has made a very firm commitment. We said to start to restore the 45% cuts you have made. That's number one and Dalton McGuinty promised to do that. Start to rehire the one third of the staff you have cut; we have promised to do that. Start to restore the water testing program they have cut under Mike Harris and the government. One thing that Dalton McGuinty very fiercely believes in and that as of today we have said, is stop privatizing the sale of Ontario water. This is something we feel very strongly about.

These are some of the things that we would do and that we propose the government do as well.

The Acting Speaker: It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2128.

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Cambridge	Martiniuk, Gerry (PC)	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Chatham-Kent Essex	Hoy, Pat (L)		
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Durham	O'Toole, John R. (PC)		
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Elgin-Middlesex-London	Peters, Steve (L)		
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	London West / -Ouest	Wood, Bob (PC)
Essex	Crozier, Bruce (L)	London-Fanshawe	Mazzilli, Frank (PC)
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Etobicoke North / -Nord	Hastings, John (PC)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Guelph-Wellington	Elliott, Brenda (PC)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		

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Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
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Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
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Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
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Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 94A



N° 94A

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 24 October 2000

Mardi 24 octobre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 24 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 24 octobre 2000

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

HEALTH CARE FUNDING

Mrs Sandra Papatello (Windsor West): I want to speak to you about the Ontario welfare system and an individual in my riding who just went on to the welfare system: an able-bodied young father of three with a wife at home as well: that's four dependants. Here's an individual with a skilled trade—he's a cabinet maker—perfectly prepared and willing to work, who has now joined the welfare system in Mike Harris's Ontario.

What is the difference with Mr Mousaly, other than that a couple of weeks ago I brought up in this House the fact that this is an individual who is waiting for knee surgery out of a London hospital and has to wait until September of next year to have very much needed knee surgery so that he can go back to work? The only thing Mr Mousaly asked was that he be allowed to go back to work.

Desperate for this operation, we've made lots of inquiries, and the fact of the matter is that even in the mecca of health care, London, which is what Windsorites consider London to be, they cannot get operating room time. Why? Because they've closed two operating rooms. Why is that? Because University Hospital in London also received funding cuts.

Last week in this House, our health critic announced that all of the operating dollars given to those hospitals are not what they seem to be, and the result is that a perfectly able-bodied young individual who wants to work and to raise his family is on Mike Harris's welfare roll, a place he should not be.

The Speaker (Hon Gary Carr): The member for Durham.

Interjections.

OFFICER OF THE YEAR AWARD

The Speaker (Hon Gary Carr): Could you start the clock again. We'll give you the full 90 seconds; we'll hold the clock.

Mr John O'Toole (Durham): I'm very disappointed by the member from Windsor West continually interrupting an important announcement that I'd like to make about one of my constituents.

On October 14, a former Durham riding constituent, Constable Phil Edgar, was awarded by the Durham regional police the Officer of the Year Award, which is determined by the men and women serving on the force.

Constable Edgar, who grew up on Skugog Island, is a general patrol officer and has been in the Durham regional police since 1994. His enthusiasm, dedication and commitment to serving the people of Durham region have resulted in some very impressive accomplishments during this short career. Over the past one and a half years, Constable Edgar has been responsible for the recovery of nearly 160 stolen vehicles with an estimated worth of \$4 million. Seventy-seven of these vehicles have been retrieved this past January alone.

Auto theft affects everyone. The people in Durham riding appreciate the steps being taken by Durham regional police to curb theft and return stolen property. Crime costs all of us. Last year the Insurance Crime Prevention Bureau stated that \$46 out of everyone's auto insurance premium in the province goes toward covering theft claims, which amount to almost \$200 million annually.

I'm sure that all members of the House will join me and my constituents of Durham, including Constable Edgar's parents from Scugog Island, Gary and Alice Edgar, on their son being named Officer of the Year.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr John Gerretsen (Kingston and the Islands): Over the last couple of weeks, I've presented to the Minister of Education over 3,000 letters from students across my riding pleading with her to resolve the education crisis so that all our students can get a full and complete educational experience. Today I will be tabling with her another 1,500 letters from Ernestown Secondary School, Holy Cross secondary school and Regiopolis/Notre-Dame imploring the minister to take immediate action.

Extracurricular activities such as sports, drama, debating, clubs and other related activities are an important integral part of a student's education. They have been put on hold in many parts of this province as a result of the unilateral action taken by the Minister of Education changing teacher conditions and thereby lowering school and student morale and undermining the fundamental purpose of our young people to receive a first-class quality education.

One student put it right on the mark: "Through participating in these activities, we all learn about teamwork,

responsibility, respect, work ethic and the value of participation. Extracurricular activities also provide a way to relieve stress, build friendships and motivation for students to work hard in school to make the grade."

I say to the minister that I completely agree with the student who wrote, "It's time that the divided parties work together to resolve these issues so that education, teachers, students and the community will not continue to suffer."

Please, Minister, stop denying the students in my riding and across this province their right to a fully enriched education.

DEFIBRILLATION EQUIPMENT

Mr Doug Galt (Northumberland): I rise in the House today to talk about one of the most recent initiatives of the emergency response training enterprise in Northumberland. Sudden cardiac arrest claims the lives of more than 44,000 Canadians each year and is the leading cause of death and disability for Canadians over 45. The most effective immediate treatment for sudden cardiac arrest is defibrillation. Advances in defibrillator design have made it possible for rescuers to provide defibrillation sooner following cardiac arrest by using an automated external defibrillator, or AED.

I'm proud to say that all of Northumberland's fire departments are now using AED units. With support from local foundations and service groups, as well as community fundraising efforts, Northumberland is the first county in Canada to accomplish this feat. With a population of approximately 71,000, the emergency response training group's efforts have ensured that there is one AED unit for every 2,629 residents, and this means that the citizens of Northumberland county have a better chance of surviving sudden cardiac arrest.

It's my pleasure to congratulate those fire departments that have most recently come on board for AED training, and I applaud the efforts of the emergency response training enterprise in promoting public health and awareness in Northumberland county.

PARENTAL LEAVE

Mrs Marie Bountrogianni (Hamilton Mountain): I rise in the House today to speak about the important role that parents play in the lives of their children in the early years. I call upon the Harris Tories to extend parental leave to equal that of the federal government. The changes to the federal Employment Insurance Act will enable parents to take a leave of 50 weeks. Provincially, we still only provide for a leave of 35 weeks. If we value our children and recognize the important role played by parents in the most formative years of our children, then the province would emulate the changes made to the Employment Insurance Act and allow for a leave of 50 weeks.

It is shameful that in this day and age amendments and changes have not been made to allow for both mothers

and fathers to make the best choices for themselves and their families and to have the option available to them to remain at home with their newborn children.

1340

I call upon the Premier to live up to his supposed commitment to children and to introduce changes to the Employment Standards Act which will allow parents to take 50 weeks' leave to remain at home with their children. This government is good at talking the talk, but it's time to walk the walk when it comes to caring for our children.

My leader, Dalton McGuinty, put forward a clear and comprehensive plan outlining our priorities as Liberals on the importance of the early years. This government, and in particular this Premier, have paid lip service to this issue, calling yet again on the federal government for more dollars with no clear initiatives in place. Tough on talk, weak on action.

LABOUR DISPUTE

Mr David Christopherson (Hamilton West): I rise today to speak on behalf of the 130 case managers and 70 support staff of OPSEU local 256 who work at the CCAC, the community care access centre, in Hamilton.

Members of the House will recall that we just went through a similar battle in our community with the VON workers, who made it very clear at that time that their problem and their fight was not with their immediate employer but, on the other hand, it was indeed a battle with this government, a battle with underfunding, exactly what we're facing here at the CCAC.

The government came along recently and offered a little over \$3 million, touting this as the be-all and end-all in terms of saving the CCAC and home care services. Quite the contrary. That only matched about half the projected deficit that the CCAC has, and that's before we get into these negotiations.

This government has a track record they ought to be ashamed of in terms of pitting elements of our communities against each other. In Hamilton, we've had the difficulty of the hospital boards pitted against the community, including nurses and support staff and doctors, and eventually we saved the Henderson hospital. We've got school closures now, pitting school trustees against communities and parents. We went through the same thing with municipal councillors who were trying to preserve services. All because this government is fixated on tax cuts rather than building communities and improving working families' lives.

PROMENADE WEST

Mrs Tina R. Molinari (Thornhill): It was my pleasure to attend the first Promenade West Home-owners' Association barbecue on Sunday, October 15. Based on the success of this barbecue, I am sure it will become an annual event.

Though Mother Nature decided it was time for fall weather and dredged Promenade Green Park with

blowing rain and an easterly wind, none of this dampened the lively community spirit of the Promenade West residents. Live uplifting salsa and jive music brought warmth to the crowd, who swayed and danced to stay warm. As well, they were fuelled with warm, freshly cooked sausages, chicken and beef. The atmosphere continued to be enlivened as door prizes were awarded.

It is scenes like this, though traditionally seen during the summer, where one sees the true community spirit which has developed and grown in this province and which continually makes Ontario the best province in Canada to live. Participants in this event represented a mosaic of ethnic cultures and various ages, and reflected a variety of family structures. It was enjoyable to see all of these individuals drawn together in friendship on a cold, wet October afternoon, united in the common element of living in the same neighbourhood of a few streets. I congratulate the hard work and effort of Bob Bak, Joanne Fisher, Mario Botticelli and Arlene Stone.

This group of residents gathered at Promenade Green Park shared one other common element. They were all Ontario taxpayers who are to receive a \$200 taxpayer dividend cheque. In fact, many of them had already received their cheque and were pleased that the government of Ontario, after balancing the provincial budget, saw fit to return close to \$1 billion surplus to those who had paid taxes. After all, it is their money to save, spend or donate as they so choose.

GOVERNMENT ADVERTISING

Mr James J. Bradley (St Catharines): Just when you thought that out of conscience, sheer embarrassment, or at least a discreet call from the Ontario Taxpayers' Coalition or the National Citizens' Coalition, the Harris government would have brought to an end its orgy of self-serving, blatantly partisan advertising at taxpayers' expense, yet another expensive booklet landed in the mailbox of every Ontario resident.

The latest propaganda sheet is nothing less than what Toronto Star columnist Jim Coyle described as "another colossal waste of tax money by an administration which urges frugality on everyone else."

As Toronto Sun columnist John Downing put it after receiving an education brochure last month, "You know what, Mr Premier? If there's any steam left from the Common Sense Revolution, you could grab the initiative for your floundering government by swearing off blatant partisan ads paid by taxes."

Both journalists are right on the mark.

What is particularly galling is that the Conservatives were elected on a platform of cutting government waste, yet it is the Harris crowd that has spent almost \$190 million on advertising at taxpayers' expense—\$30 million more than the entire budget of the Ministry of the Environment this year.

If Mike Harris wants to spend millions of dollars on propaganda pamphlets or partisan ads in newspapers, on radio and on television, let him dip into the political war

chest of the Conservative Party, swelled by grateful donations from the wealthiest and most powerful in Ontario, and keep his hands out of the wallets of Ontario taxpayers.

VISITORS

Mr Dave Levac (Brant): On a point of order, Mr Speaker: I'd just like to bring the attention of the House to our guests today from Assumption College high school in the riding of Brant. The history students are joining us in the gallery with their teachers, and their department head, Mr Rob Campbell, is a big advocate of democracy in the province of Ontario.

MIKE LAZARIDIS

Mr Ted Arnott (Waterloo-Wellington): I'm honoured to recognize the outstanding contribution of Mike Lazaridis, founder and co-chief executive officer of Research in Motion of Waterloo and, as of yesterday, one of the greatest Canadian philanthropists of all time.

The Honourable Elizabeth Witmer and I were present at the announcement yesterday, which was also attended by Dr David Johnston, president of the University of Waterloo, and Dr Bob Rosehart, president of Wilfrid Laurier University.

Mr Lazaridis will personally donate \$100 million to found the Perimeter Institute, a Canadian institute dedicated to research in theoretical physics. This investment will vastly improve research and development in Waterloo region and will benefit my constituents in Waterloo-Wellington as well. It will have a profound impact on Ontario's future by fostering pure research in physics, which will improve our economic competitiveness and put us at the leading edge.

To quote Mr Lazaridis, "The pursuit of theoretical physics gave rise to all the technological advances of present-day society," from lasers to computers, from cellphones to MRI machines.

As a young man, Mr Lazaridis struggled in choosing between the study of engineering and physics. He chose engineering and founded Research in Motion, a world leader in wireless communications technology, but obviously continues to have an interest in physics. His contribution to physics was well described by Mrs Witmer, who, in expressing thanks, said that the institute will "fuel the enlightened thinking of tomorrow's Newtons and Einsteins."

I hope all members of this House will join me in showing our appreciation to Mr Lazaridis for this gift to humankind.

VISITOR

The Speaker (Hon Gary Carr): I would like to take this opportunity to invite all members to welcome to our chamber a special visitor who is seated at the table, Mr Niall Johnston, who is the special advisor to the Speaker

of the Northern Ireland assembly. Would all members please join in welcoming Mr Johnston.

INTRODUCTION OF BILLS

IMITATION FIREARMS REGULATION ACT, 2000

LOI DE 2000 SUR LA RÉGLEMENTATION DES FAUSSES ARMES À FEU

Mr Tsubouchi moved first reading of the following bill:

Bill 133, An Act to regulate the sale of imitation firearms / Projet de loi 133, Loi visant à réglementer la vente des fausses armes à feu.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Dave Levac (Brant): On a point of order, Mr Speaker: Given the nature of this bill and the fact that my colleague from St Paul's was able to bring this to the attention of the House, I would seek unanimous consent for the member from St Paul's to make a statement on the bill.

The Speaker: Is there unanimous consent? I heard some noes.

1350

ORAL QUESTIONS

AMBULANCE SERVICES

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. In just two months' time, you're going to download the life-and-death responsibility of our ambulance services to our municipalities. I am afraid, Premier, that our municipalities don't have the resources or the expertise to carry out the job safely, and many of those municipalities agree. Listen to what North Perth mayor Vince Judge had to say earlier this summer: "By downloading it to non-professionals, you increase the opportunity that something can go wrong. Municipalities are not in the health field. We don't want a Walkerton situation, but that's what we could very well be facing."

Premier, given that your government failed to take the necessary time and all reasonable precautions when you downloaded water testing on to our municipalities, I'm asking you here and now, can you assure us that municipalities of Ontario have everything they need and are ready to take on the new life-and-death responsibilities associated with operating an ambulance service?

Hon Michael D. Harris (Premier): Just as an aside, I think the member is well aware that the cost of testing was not downloaded by our government. I just wanted to correct the record on that. We did maintain municipalities

paying for those things. That was done long before we were in office.

As to the second part, the main question, dealing with ambulances, we did enter into extensive discussions that were started under the former government under the guise, at that point, of disentanglement.

Mr James J. Bradley (St Catharines): Don't blame the NDP.

Hon Mr Harris: Nobody's blaming the NDP. If the Liberal member from St Catharines would stop interrupting me, I'd be happy to give the answer.

Mr McGuinty: Premier, earlier this month, local taxpayers in Niagara learned they had to spend \$3.3 million to upgrade their ambulance service. They were told to do that because their local medical officer of health said that when you downloaded the responsibility for the system, you downloaded a response time that wasn't even complying with provincial law.

In Kingston, local paramedics say you're handing over an ambulance and emergency system on the verge of collapse. They say the system's shortcomings are already costing lives. Today they've got three ambulances to cover 800 square kilometres and 165,000 people. They're using cardiac monitors and defibrillators today in Kingston that exceed their life expectancy. Their warranties have run out and the machines repeatedly malfunction during ambulance calls.

I ask you one more time, Premier, are municipalities ready to take on the life-and-death responsibilities of operating ambulance services?

Hon Mr Harris: As I was saying before I was interrupted by the interjections of the member from St Catharines, this is all part of a number of discussions. It started with the disentanglement discussions under the NDP—they were not successful, as you know—and then concluded, at the request of the municipalities, by us, with the discussions under what was known as Who Does What. We've taken a considerable amount of time in making this transfer to ensure exactly, as the—

Interjection.

Hon Mr Harris: I'm sorry, but if the Liberal members keep yelling and screaming, I can't answer, Mr Speaker.

Mr McGuinty: I can appreciate that the Premier is looking for any excuse whatsoever not to answer the question, but I'm going to return to it again nonetheless, Premier. If you won't heed warnings from elected officials, then let's listen to what your own hand-picked transition boards are saying around the province of Ontario.

In Ottawa—that's a place where ambulance response times under your watch have become so slow that the regional medical officer of health says that 100 lives are being lost every year. There in Ottawa, your transition team is saying that property taxpayers are going to have to spend somewhere between \$28 million and \$30 million just to bring that ambulance system up to standard.

In Haldimand-Norfolk, two people died last Christmas after it took ambulances 24 minutes and 18 minutes to

reach their homes. This was at a time when the Ontario standard was 15 minutes. They've been told they need to spend \$750,000 to bring ambulance services up to Ontario standards.

These are your transition boards. They say that you are creating an economic burden. Elected officials say that this is going to be dangerous to the health of their citizens. I'm asking you again: are you really sure it is appropriate and safe to download this new responsibility on to our municipalities?

Interjection.

Hon Mr Harris: I am happy to answer, but if the member from Thunder Bay wishes to yell and interject and answer the question, I'd be happy to let her answer. If the Liberal members can't control themselves—

The Speaker (Hon Gary Carr): Premier, take a seat. Stop the clock.

This is where I'll step in. There was too much noise that time. I ask all members to come to order. For some of you who read Saturday's *Globe and Mail*, at the federal House, a chap by the name of Lee Morrison said there's a difference between intelligent heckling and boorish noise. He was talking about the federal House. If people are going to scream and shout, then I will interrupt and proceed to warn people. Having said that, we also know that "intelligent heckling" is allowed in here. Where the line begins and ends is sometimes very difficult for all sides to understand. But I also say to the government members that this House isn't going to be in total silence. It never has been and it never will be. Hopefully, we will have some type of balance.

Premier.

Hon Mr Harris: That's why, of course, that very concern. There are challenges in delivering ambulance service. You've pointed out that some of the ones we run are not as good as we would like them to be. But I have to tell you that a large number of ambulance services are already run by municipalities across this province. In fact, many of them are model examples of running ambulance service. Many are run by the private sector. Many were when you were in government, many were when the NDP were in government and many are now that we're in government.

What we have moved to now are more coordinated, tougher standards and a more rigorous service. As you know, the trades transferred \$2.5 billion worth of tax room to be able to assist with this. As you're also aware, we cost-share 50-50 and we set the standards. So yes, we are very confident that municipalities have the wherewithal—the money, the resources and the expertise—to perform these services, and in those areas where they're not ready, that's why we've been taking the time to make sure they are ready.

CONTROL OF SMOKING

Mr Dalton McGuinty (Leader of the Opposition): This question is also to the Premier. Every year in Ontario 12,000 Ontarians die from tobacco-related illness.

This costs our health care system \$1.1 billion annually and it requires more than one million hospital days for treatment. Yesterday a report was released by the Ontario Tobacco Research Unit which tells us that 42% of our grade 11 students are experimenting with cigarettes today in Ontario. They also tell us that this has held steady since 1995.

One in six of these children later on will suffer from lung cancer, with all the associated pain and suffering for themselves and their families. I ask you, why is it that you have failed to lower smoking rates among Ontario youth in the six years that you've been the government?

Hon Michael D. Harris (Premier): This is a good question and a big challenge for us all. As you know, we've had cigarette prices from 1995 to 2000 substantially lower than they are now, when we had a virtual ease. Like a prohibition-type availability of liquor, we had a prohibition-type availability of such cheap cigarettes that the federal government, in a coordinated strategy with ourselves and our government, realized that when the taxes were so high, they did not have the resources within the federal government to control the cheap cigarettes coming across the border points. I think we're all aware of those challenges.

1400

We have worked with those groups that are concerned and advocating for policies to do everything we can to curb smoking, particularly in young people. There are more young people—there are some badges of honour, I guess, in doing things that are even more expensive and more illegal. It is a tremendous challenge. We've not found the solution yet—

The Speaker (Hon Gary Carr): I'm afraid the Premier's time is up.

Mr McGuinty: Nobody said it's going to be easy, but I can tell you that there are some real successes out there. California has experienced a 33% decrease in smoking among their young people. Massachusetts has experienced a 31% decrease in smoking among their young people.

You commissioned that a report be prepared. It was submitted in February 1999. It's called *Actions Will Speak Louder Than Words*—I would ask you to pay some attention to that particular title, Premier—and it includes 29 specific and substantive recommendations on how to attack the incidence of smoking especially among our young people today in Ontario. It includes everything from raising taxes on our cigarettes, so that we are no longer the lowest-priced jurisdiction in Canada, and it talks about hard-hitting ad campaigns. If you want to put some money into ads that have a really positive effect, then stop putting them into those partisan political ads and start putting them into ads that discourage our young people from smoking. If you're looking for some ideas, there are all kinds out there, including 29 specific ideas that came back to you from your own committee.

I'm asking you today as a parent of four teenagers, when are you going to act on these ideas and make it tougher for our kids to get hooked on cigarettes?

Hon Mr Harris: As you know, we spend a considerable amount of our advertising on anti-smoking campaigns. This was one of the recommendations. We did set up the committee. We are working with those groups and we spend a large amount of money advertising in these areas.

We're always looking for new ideas. As long as one person, a young person in particular, takes up smoking, then there is still a job for us to do. We work on the tax side with the federal government in a coordinated way, as you know, because there's not much point in one government working by itself in this field when we both have taxation areas there.

We are acting on a large number of the recommendations. I can let the minister give you the litany of those. But you know, there is a large number of young people right here in the chamber today. Maybe we should hear from them what we need to do to discourage smoking. I invite them to send their comments directly to me.

Mr McGuinty: I want to bring you back to the title of the report which you had prepared for you: *Actions Will Speak Louder Than Words*. There is nothing more eloquent than actions, Premier. You have been painfully silent and inactive on the issue of the incidence of smoking among Ontario's young people. There are some real successes that have been experienced in other jurisdictions. There are things we can do. In particular, you might start by acting on the 29 specific and substantive recommendations found inside this report.

The facts don't lie. For the last five years, this report released yesterday tells us, Ontario's young people are still experimenting with cigarettes at the rate of 42% in grade 11 and 28% in grade 9. That has not changed. Again as a parent I am asking you, when are you going to crack down on the incidence of smoking among young people in Ontario and act on those so many good ideas that have been placed on your table?

Hon Mr Harris: As you know, we continue to welcome new reports and new suggestions. But to suggest that we haven't acted on them—let me share with you a few things.

We've laid more charges than all other provinces combined for selling cigarettes to minors—4,000 charges under the Tobacco Control Act, an increase of 43% over the predecessor government before we took office in 1995; 4,800 tickets issued for smoking in a prohibited place, almost all of which are for students smoking on school grounds. This is an increase of 86% over the previous government, before we had taken office. We have a very ambitious \$17-million heart health campaign, a good example of our commitment to identifying tobacco-related health issues.

We continue to welcome these reports, we continue to work with the federal government, but I say to you, perhaps it's time that instead of listening exclusively to all the experts and all the scientists and all the adults, maybe we should be talking a little more to the kids. For your information, they're from Centennial public school

in Guelph-Wellington, and my bet is they'll have better ideas than your whole caucus.

NURSING HOMES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Six months ago we asked your Minister of Health why nursing homes across this province had not been inspected in over two years. Your Minister of Health first tried to deny it and then she tried to blame the previous government.

Now, thanks to freedom-of-information documents obtained by Colin Perkel of the Canadian Press, the truth is out. Your Minister of Health, under her watch, gave the direction that nursing homes were not to be inspected as frequently as they had been in the past. In fact, the cut was close to 80% in Toronto and 40% elsewhere in the province. Tens of thousands of frail elderly seniors who depend upon your government to protect them were neglected.

Premier, what do you say to those frail elderly seniors and their families who now know that your government, not accidentally but intentionally, reduced the inspection of nursing homes where those frail elderly people reside?

The Speaker (Hon Gary Carr): Premier?

Hon Michael D. Harris (Premier): The Minister of Health can respond.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): First of all, let's be accurate and let's be correct. There was no direction given to anyone for the reduction. Our government is very committed to high-quality standards for all our long-term-care facilities, whether they are homes for the aged or whether they are nursing homes. In fact, your government and the Liberal government before you also were criticized by the Provincial Auditor for not ensuring that all facilities received an annual review.

Our government, for the first time, has made it possible and has made it mandatory, and we now have a program in place in order to ensure that all long-term-care facilities will receive an annual review each year. I'm pleased to say that 53% of all the facilities have been reviewed this year and we will reach 100% compliance by March 31 of—

The Speaker: Supplementary?

Ms Frances Lankin (Beaches-East York): Minister, it's interesting. The briefing note you just read—the words are verbatim in the briefing notes that were prepared for you at that time. Even your staff said in the confidential documents we have here, "This cannot be turned into a good-news story." But what did you do? You tried to spin it; you tried to deflect it. You tried to blame others, and you're doing it again today.

You told the world that there was no law requiring annual inspections and you said the NDP got rid of it. And here in your confidential briefing notes are the notes, the handwritten staff comments, saying, "This is a statement of error." Did you admit that? No. Instead, we have an e-mail from your staff as they're trying to help

you spin it, and it reads, and I'm going to quote this because I love it, "FYI: we have a response for the scrum. Don't kill yourself. Frances was right." But day after day you denied it.

You know, you stand up here, you deny, you refuse to take responsibility, and the proof is now incontrovertible. It's right here in these documents. You pulled inspection staff off the job to do something else that you thought was more important. That was a wrong choice, but for God's sake, now that the proof is there, would you please at least finally admit it, Minister?

1410

Hon Mrs Witmer: There was no decision to pull any staff. I would again indicate very strongly that I was very disappointed to learn that all facilities in this province had not been receiving annual reviews. In fact, let me quote from the Provincial Auditor in 1990 on the Liberal record: "We concluded that the procedures used by the branch to monitor the quality of care in nursing homes required significant improvement.... The number and nature of cases selected for reviews was inadequate." Then the Provincial Auditor, in 1995, on the NDP: "No annual reviews of homes for the aged were conducted in 1993 and 1994"—none. "We understand that the ministry decided not to conduct any annual reviews of homes for the aged." This meant that there were 176 that received no review in 1993, and 164—

The Speaker: Order. I'm afraid the minister's time is up.

Ms Lankin: Well, the minister continues to do it. I find this absolutely astounding. Let me read to you from one of the other e-mails: "During the 1998 and 1999 RFP—that's for the new long-term-care beds; I told you that's where you put the staff—"there were no annual inspections, I'm sure, unless it was tied in with an urgent complaint." This is your own staff admitting it to you, and you won't stand here and tell us the truth today.

This is a question—

The Speaker: I would ask the member to withdraw that, please.

Ms Lankin: I withdraw that, and I say once again that you will not admit to the facts that are here, and there's proof of it.

It's not a question about a minister doing acrobatic feats to avoid admitting facts that are now proven; it's a question about accountability to the people of this province. It's about getting correct, factual and, dare I say, things that are honest answered in this. I want you to admit that the truth of this is that you pulled staff off, and as a result of your wrong choices you left vulnerable seniors' lives at risk in this province. Will you finally admit that?

Hon Mrs Witmer: If you want to deal with facts, I think it's important, first of all, to take a look at the fact that opinions of staff are not necessarily facts. Let's deal with the facts. The facts are that we discovered there had been no annual—

Interjections.

The Speaker: Order. The minister take her seat.

Mr Dominic Agostino (Hamilton East): Which one of your staff are we to believe?

The Speaker: The member for Hamilton West, come to order, please.

Interjection: That's Hamilton East.

The Speaker: Hamilton East. I apologize. You'd think I'd know these, wouldn't you?

Sorry for the interruption. Minister of Health.

Hon Mrs Witmer: It was our conclusion—information provided to us by ministry staff—that there had never been 100% compliance and review of all long-term-care facilities in this province. I indicated to my deputy that he was to provide us with an action plan. I am pleased to say that on July 5, 2000, we announced an action plan with \$860,000 to ensure that for the first time all long-term-care facilities, nursing homes and homes for the aged would receive an annual review. New compliance advisers were hired. I'm pleased to say that over 53% have been—

The Speaker: Order. New question.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Through Bill 74 you have created an education nightmare in Ontario. You insisted that cutting the number of teachers in our schools wouldn't affect the quality of our students' education. You wanted complete control of the school boards, and through Bill 74 you got it. You wanted complete control over extracurricular activities, and through Bill 74 you got it. And now what's happening? Students across the province are losing out on their extracurricular activities. They can't get the remedial time they need, because teachers are so busy doing the bureaucratic nonsense you've thrown on them.

At Malvern secondary school here in Toronto, in northwestern Ontario and in schools I know of across this province, students are not receiving the full quality of education they deserve.

You wanted all the power. You said you had all the answers. What are you going to do to fix the problem that you and your government have created, Premier?

Hon Michael D. Harris (Premier): This is, as you know, a serious issue and a serious concern. Just so I understand very clearly and to help me answer, I wonder if you could describe for me what bureaucratic nonsense we've asked teachers to do that they weren't doing before. That might help me respond.

The Speaker (Hon Gary Carr): Supplementary.

Mr Rosario Marchese (Trinity-Spadina): I think when I become the Premier I'm going to answer that question, but in the meantime, Premier, I quite frankly think you are paralyzed by your own power.

Let me give you a perspective. Before Bill 74, you and the Minister of Education agreed that 99% of the boards were doing extracurricular activities. You decided to fix a problem that didn't exist. You brought in Bill 74 and

forced teachers to teach an extra class, thus getting rid of some of the teachers. Those who are left, in my view, are stuck with hard choices: an extra class or extracurricular activities. That's the choice you left them with.

You exported the problem from Durham, from one board, and spread the disease all over the province. You gave yourself the power to cure the disease and instead, in my view, it has become an epidemic. Premier, I don't think you or your minister know what you're doing.

Hon Mr Harris: I can recall a question and a statement, I think from this very member, back last spring, saying, "We don't think you need to proclaim this section of the legislation. We don't think you need it because 99% of the teachers are already performing these co-curricular activities." We listened to your advice. We did not act on that legislation.

Interjection.

Hon Mr Harris: My colleague interjects with one of the more intelligent interjections I've heard this session, that that's the last time we should listen to you when we're trying to deal with these issues.

I can tell you that we've never shirked our obligation and responsibility in trying to ensure that all our kids all across the province receive a full and balanced education, including very important co-curricular activities.

Again, since you could not identify one single piece of bureaucratic nonsense we've asked teachers to do that we haven't asked them to do before, I would take that as a sign that you agree with us that we've tried to make life easier for—

The Speaker: Order, Premier; your time is up. New question.

Mr Gerard Kennedy (Parkdale-High Park): I have a follow-up question for the Premier. He stands here saying he'll listen to young people, but instead he is the government that cancelled extracurricular activities. What happened since last spring? You passed Bill 74. You made sure that teachers couldn't do it.

Premier, students are saying to you that you sucked the spirit out of their schools. Last year, we had 70 out of 72 boards providing extracurricular. You passed that law. Now they're not able to provide it.

Your member for Leeds-Grenville said to the students in his riding who came with a petition that you would be doing something by the end of the year. Students out there can't wait. They don't want you to use the big hammer in Bill 74; they want you to do your job. They want you to stand up and make sure that students have a quality school year, that their extracurricular activities that you took away, that you cancelled, are restored. Premier, stand up in this House today and tell us how you're going to bring back extracurricular activities, having taken them away in the first place.

Hon Mr Harris: The minister can respond.

1420

Hon Janet Ecker (Minister of Education): The reason extracurricular activities have been cancelled in some communities, in some schools, is because some

teachers have chosen to work to rule and not to provide those activities.

Secondly, the honourable member says that Bill 74 should somehow not be in existence. Bill 74 says things like if a school board is given money for lower class size, they'd better spend it on lower class size. If the member disagrees with that, he should tell us. Bill 74 says that if a school board is given money for special-needs students, they'd better spend it on special-needs students. Perhaps the honourable member disagrees with that policy.

Bill 74 establishes a workload standard for classroom time for high school teachers that's based on the national average: four hours and 10 minutes. Perhaps the honourable member thinks that is the wrong standard. If so, he should stand up and say that.

Mr Kennedy: I can't tell you how disappointed I am, on behalf of these young students, that the Premier was afraid to answer this question.

Last year 70 out of 72 school boards delivered extracurricular to these kids, and now they don't because they've passed this law. This minister can't name one school board that isn't affected by the loss of extracurricular.

This minister tried to say it's work to rule. She tried to avoid her responsibility. Let me tell you what the director of education in London, John Laughlin, says. In London they have settled; there is no work to rule. He says that even after a contract, only 10% of extracurricular is taking place. This is what he says: "A provincial solution to the problem" is needed to bring back extracurricular activities to these students.

Minister, you should know this, and if you don't know this, then we have a bigger problem than is apparent. The parents, the students and the public have every right to believe that you're not just cancelling extracurricular activities on purpose. You brought in Bill 74. It took away extracurricular activities. Minister, will you at least tell these students, tell the House and tell the public—

The Speaker: Order. The member's time is up.

Hon Mrs Ecker: The only people who are afraid in this Legislature are people who are concerned about facts. When the honourable member stands up, it is quite fearsome what he does to them.

First of all, I assume from the question that what the honourable member is asking us to do is to proclaim the section of Bill 74 which would make extracurricular activities mandatory. On the one hand, they said we shouldn't. We didn't. Now they are saying that somehow we should.

The other thing that I think is important to recognize is that the workload standard, the four hours and 10 minutes, is based on what teachers do across the country—the 20 minutes a day. On the one hand, we have teachers in communities who are providing extracurricular activities, who are choosing to do that because they care about the kids, because they know it's important, and at a school up the road they are choosing not to do that. That is work to rule. If the honourable member supports that, he should say that.

We think all students deserve those extracurricular activities. I support those students in their protests—

The Speaker: Order. The minister's time is up.

HIGHWAY IMPROVEMENT

Mr Ted Chudleigh (Halton): My question is for the Minister of Transportation. A week ago you were in my riding, signing an agreement between the Ontario government—

Interjections.

The Speaker (Hon Gary Carr): Will the member take his seat. Stop the clock.

Interjections.

The Speaker: The member for Hamilton East, come to order. The Minister of Education, come to order. And the Minister of Labour, come to order as well. The member for Sudbury, this is his last warning. I've warned three other people. I don't appreciate the yelling across. It's the member for Sudbury's last warning. I say to the Minister of Education, it was your own member asking the question and he couldn't do it.

The member for Halton.

Mr Chudleigh: Thank you, Mr Speaker. The member for Hamilton West perhaps would be interested in this question as well.

Minister of Transportation, you were in my riding last week signing an agreement between the Ontario government and the town of Oakville to reconstruct the overpass over the QEW and Third Line. It's a very important overpass for my constituents who travel down that road to go to the GO train, and they will appreciate that reconstruction. It will also pave the way for the expansion of the QEW, and we very much appreciate the fact that this expansion is taking place along that very busy road. Minister, could you give me any details on when these events will begin to happen?

Hon David Turnbull (Minister of Transportation): Obviously, the QEW is a very important transportation corridor. Last week we signed an agreement with the city of Oakville to reconstruct the existing Third Line interchange. This calls for \$12.4 million to be expended by the provincial government and the balance of the \$20 million it will cost to be paid by the city of Oakville. The construction will begin in 2002 and be completed in 2003. When completed, this interchange will support future widening of the QEW into the Halton region.

The government has initiated—

The Speaker: Order. I'm afraid the minister's time is up. Supplementary.

Mr Chudleigh: Thank you very much, Minister. That expansion can't come too fast for my constituents in that area. Traffic congestion, of course, is horrendous in that area. As the QEW is a gateway to the US, that congestion has real economic impact. I wonder if you could tell us about the enhancement of trade and how soon we can look to that expansion on the QEW.

Hon Mr Turnbull: In order to minimize disruption of traffic, we'll be working in off-peak hours on this import-

ant development. We'll minimize lane closures and we will be using special construction message signs to guide traffic. We'll also be using movable concrete barriers and expanding the Compass camera system to that area. This is a \$100-million investment and it will take approximately five years, subject to property acquisition and environmental approvals. It will considerably improve traffic movement in this area.

SOCIAL ASSISTANCE

Mr Michael Gravelle (Thunder Bay-Superior North): My question is to the Minister of Community and Social Services. Five years ago this month your government began its attack on Ontario's poorest citizens by cutting social assistance rates by 22%. Since that time, you know that the cost of food has increased and that the cost of shelter has gone through the roof, particularly in the Toronto area.

We all know that the upcoming increase in home heating costs will be devastating to Ontario's poorest families. There's no doubt that more and more children are living in poverty in this province. Even the national children's benefit, meant to improve the lives of our children, has been brutally clawed back by your government from those who need it most. Clearly costs have gone up. Ontario's poorest families are falling further and further behind. Even the cost of David Tsubouchi's dented can of tuna has gone up.

Minister, my question to you today is simply this: isn't it time to attach a cost-of-living adjustment to social assistance benefits?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): This government committed in the 1995 election to keep welfare rates more than 10% above the average of the other nine provinces. That's not just a commitment we made; in fact they're up to 34% higher than the average of the other nine provinces. For those with disabilities they're well over 45% above the average of the other nine provinces.

But I think it's important to go to the honourable member's leader, Mr McGuinty. He was asked by Richard Brennan, "Are you going to restore" the welfare cut "or aren't you?" "That money's going to be restored, yes it is," he said. Later that evening, McGuinty issued a press release denying what he had said in the interview: "I fear I may have left the impression that it was my intent to fully restore the 22% welfare cut to all welfare recipients. That is not my intention."

Mr Gravelle: We're not asking for much at all. We're asking for a cost-of-living adjustment increase. What we are left with is a government determined on driving more and more people into poverty. Instead of any expressions of shame and a commitment to find the solution, we end up with this awful partisan rhetoric.

Minister, you know that it's a fact that Ontarians living on disability support have had no increase, as well, for the last nine years. People in my part of the province

have seen the impact of rising costs in a far more severe way.

1430

It has been five years. People are getting further and further into poverty. The costs are increasing. Can you not at least acknowledge the reality? Take the first step today to fight the disgrace of child poverty: forget the partisan rhetoric and add the cost-of-living adjustment to social assistance programs in this province. It's the least you can bloody well do.

Hon Mr Baird: Isn't this a great world we live in? He can agree with his leader when he says one thing and I can agree with his leader when he says the other thing. We all win.

This government not only keeps the disability rates for those on social assistance more than 45% above the average—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Last warning to the member for Windsor West. Anybody else want the last warning? Last warning to the member for Windsor West. We've got two now.

Minister of Community and Social Services.

Hon Mr Baird: We're keeping rates for those with disabilities more than 45% above the average of the other nine provinces. Not only do we have the most generous earn-back—

Interjection.

The Speaker: Order. The member's asked the question. The time was there for him to ask it. He can't then shout across.

Minister of Community and Social Services.

Hon Mr Baird: It's over 45% above the average of the other nine provinces, and this government has the most generous earn-back welfare policy in the country, where more than one quarter of all people on social—

The Speaker: The member take his seat. The member for Toronto Centre-Rosedale, his last warning. If he shouts out again, he'll be asked to leave for the day.

Hon Mr Baird: In fact, more than 25% of those on welfare are working and are taking advantage of that earn-back program, are taking advantage of the supports of workfare, of training, of learnfare and are being able to realize the dignity that comes with a job and the pride that comes with independence.

This number speaks for itself: more than 549,000 people breaking the cycle of welfare dependency and realizing the dignity that comes with being independent.

COMMUNITY SAFETY

Mr R. Gary Stewart (Peterborough): My question is for the Minister of Consumer and Commercial Relations. Last week you told my colleague the member for London-Fanshawe about an announcement you were about to make on improving safety in our bars and clubs. For the benefit of those who may have missed the details, could you explain to the House what has come out of that announcement?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I want to thank the member for Peterborough for the question and the opportunity. One of the key recommendations coming out of the report, Building Safer Communities, is the creation of a centralized, interdisciplinary unit which will involve the police, the Alcohol and Gaming Commission and other agencies from all three levels of government.

This unit would co-ordinate efforts using provincial liquor regulations, fire, building and health codes, municipal licensing powers and any other avenues available to put problem establishments out of business.

The report also calls for tougher penalties, the treatment of a liquor licence as a privilege, not a right, expanded powers to revoke or suspend licences as well as the ability to hold landlords accountable and liable for illegal activity occurring on their property.

While the vast majority of the 16,000 licensed establishments in Ontario run good, law-abiding operations, there are a few habitual offenders out there who are threatening the safety of our communities, and we will take tough measures to make our communities safer.

The Speaker (Hon Gary Carr): The minister's time is up. Supplementary.

Mr Stewart: Thank you, Minister, for your response. It sounds like a good first step in the battle against illegal activities in these establishments.

I want to make one comment before I ask the supplementary, and that is to comment about the conference that's coming up in Peterborough on October 26 and 27. Regarding the Safe Communities: Everyone's Responsibility conference, I want to comment about the Greater Peterborough Safe Communities Coalition, which is a major part of setting this up, as well as the national coalition. I compliment them on it and I also suggest that it will be a well-attended conference.

Minister, now that you have the recommendations in hand, could you explain how they're going to help protect the well-being of Ontario's citizens?

Hon Mr Runciman: There's no reason our thriving hospitality sector should have to suffer because of bad actor operators who break the law and do not act in the public interest. Ontario is open for business, legitimate business, and legitimate business should not have to put up with criminals who ignore the law and have a total disregard for the safety of our communities.

We're acting on the suggestions and ideas that came out of the conference in responding to the concerns of the people of Ontario. Our review will look at ways to beef up the Liquor Licence Act. We need to get tougher in our enforcement actions. Licence holders who chose to ignore illegal activities in their establishments should face swift and decisive action like having their licences suspended or revoked, and licensees must be held accountable 24 hours a day, seven days a week, for what goes on in their establishments. We'd like to keep the bad guys out, close problem facilities quickly and develop some new enforcement tools to protect the people of

Ontario. We're committed to taking whatever steps are necessary to build safer communities in this province.

WASTE DISPOSAL

Mr Howard Hampton (Kenora-Rainy River): My question, again, is for the Premier. Despite your drastic efforts to force the Adams mine deal down people's throats, it's now dead. People across the province are asking, why is your government so opposed to new progressive technologies that promote the three Rs, recycle, reuse and reduce? Premier, in Edmonton, in Halifax and just down Highway 401 in Guelph, there are exciting new technologies that are diverting up to 80% of the material that used to go to landfill sites.

Even your own organization, the Ontario Waste Diversion Organization, strongly recommends that you ban organics from landfill and that you get serious about the three Rs. Those are your people, Premier. Can you tell us, why does your government refuse to answer the phone when all those people are calling you and offering to help you reduce, reuse, recycle and ban organics from dumps? Why won't you even talk to them?

Hon Michael D. Harris (Premier): I appreciate your question. I know a number of environmental groups have said that—if you go back from that period of 1995 let's say 20 years—the only meaningful, significant move they saw in this area was a report released by the then Conservative minister, Keith Norton, on the four Rs—you forgot one of those along the way—and the most significant advances that have been made in reducing and recycling over that period of time.

Other than increasing the tax on cans that the Liberals introduced, you took no meaningful steps at all to advance the blue box program and a number of those initiatives. We are very strong on reusing first and then reducing and then recycling. As to your reference to any individual facility, we take no position on any individual facility. Our role is to ensure that any facility that wishes to be used—

The Speaker (Hon Gary Carr): Order. The Premier's time is up, I'm afraid.

Supplementary?

Ms Marilyn Churley (Toronto-Danforth): Premier, in 1995, when you came to office, you cut blue box funding completely. Let me tell you, Premier, that when it comes to waste diversion, you make Mel Lastman look good, and believe me, that's bad. The goal is: reduce waste and keep it out of landfill sites and out of our water supply.

Instead of promoting the three Rs, you pushed the Adams mine and did nothing else, but you failed. Now we're looking at a million tonnes a year of municipal waste in the GTA. Your Waste Diversion Organization says you cannot meet diversion targets unless you keep organics from landfills, and the technology now exists to do it. Why don't you go to Guelph yourself and see how it works?

Premier, which of the WDO recommendations will you implement and when will you do it?

Hon Mr Harris: I don't know why you bring up the Adams mine or the Michigan proposal that your party favours. There is absolutely no difference. Whether it is your party's Michigan proposal or the proposal of the city of Toronto and the Kirkland Lake proponents for Adams mine, there ought to be no difference. We have the top priority, that wherever ultimately waste that is not dealt with is disposed of we want—

Interjections.

The Speaker: Premier, take a seat. The member has asked the question. Now this is your last warning as well. You can't ask the question and then shout at the person who's trying to answer it. If you do, we'll do what we did last week and we'll ask you to leave.

Premier.

Hon Mr Harris: Thank you very much, Mr Speaker.

So the issue really is that it shouldn't matter whether it's Keele Valley, Britannia, Adams mine or your proposal to ship it to Michigan that you've promoted and encouraged. We should be trying to reduce, reuse and recycle everything we absolutely can so that wherever it is ultimately disposed of, we minimize that. That's our goal. I would hope it's your goal, although I haven't heard too much—

The Speaker: The Premier's time is up.

1440

CANCER CARE

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. Cancer Care Ontario has completed its report on the pending crisis in providing chemotherapy treatment to cancer patients. That report is on your desk, and I understand it tells you that we need more than 30 medical oncologists and more than 30 cancer nurses if this crisis is going to be avoided. Minister, we've seen the crisis in access to radiation therapy, with people waiting as long as seven months for treatment. You promised you would solve that problem by last year, but instead you are planning to send more and more people out of the province for care. That crisis is completely out of control, and now we're facing similar problems in getting chemotherapy treatment.

Minister, will you release the Cancer Care report on chemotherapy today, and will you acknowledge the seriousness of the problems we're facing?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Our government has acknowledged that one of the priority health areas we are addressing is the issue of cancer, another is cardiac, another is the need for dialysis services, and the increased number of MRIs. Unfortunately, the incidence of cancer is increasing in our province, and it will probably continue to do so as our population ages and as our population grows.

As a result, our government since 1995 has invested over \$160 million into cancer services and cancer care. Just this year, our budget included \$54 million for

priority programs such as cancer, and we will continue to make additional money available. We added \$24.9 million in 1999-2000 for 11 new drugs to treat 17 different cancer indications. As the member knows, we are also expanding and building five new cancer facilities to respond to the growing incidence and need for treatment.

Mrs McLeod: People in this province were horrified to realize that you could not get radiation treatment in a timely way in Ontario and that people would have to be sent out of this province to get care. The people of this province have a right to know the seriousness of the problem that may be facing anyone who needs chemotherapy in Ontario. You must release the report so the public can judge whether or not your government is responding to this pending crisis.

Even without the release of that report, we know there is a critical shortage of medical oncologists and cancer specialists in this province. We know that the reasonable standard for workload for medical oncologists is to see 140 new patients a year. We know that in Ontario medical oncologists are seeing 200 new patients a year. We know that the critical shortage of cancer specialists is exactly the reason that you can't reduce the waiting times for radiation therapy. We know you needed 14 new radiation oncologists this year and you graduated two; this year we graduate none.

Minister, will you commit today to increasing not only medical school spaces but training places for specialties like cancer care?

Hon Mrs Witmer: As the member may have forgotten, we take this issue seriously and we have invested considerable money. In fact, I'm pleased to say that we have been recruiting additional cancer health professionals, and we have been able to recruit a total of 128 radiation therapists, 11 medical physicists, 13 physics residents and 16 radiation oncologists. We know there is a need to do more, and I can assure you we will continue to do that.

YOUNG OFFENDERS

Mr Doug Galt (Northumberland): My question is to the Minister of Correctional Services. Just a few days ago, the federal Liberals announced that the Canadian citizens would be going to the polls in November. I might add, this is an announcement that comes just a little over three years after the 1997 election, an unnecessary exercise, an unnecessary cost to taxpayers, unnecessary to everyone except Chrétien, and obviously they didn't learn from Peterson.

In the wake of this election call, the Toronto Star printed an article mentioning several federal bills that have been abandoned due to the dissolution of Parliament. One of those bills was the proposed amendment to the Young Offenders Act. Minister, do you think the federal Liberals were ever serious about this legislation?

Hon Rob Sampson (Minister of Correctional Services): I thank the honourable member for the question. It's actually hard to tell what the federal Liberals felt

about the Young Offenders Act, because they took a number of positions on it. But the last bill that was before the House was, of course, one the Attorney General, the Solicitor General and I were trying to encourage the federal Liberals to change, because it frankly didn't reflect much of a change from the current bill. If you go and ask the people of Ontario, do they think the current Young Offenders Act is getting tough on young offenders, they would say no. They would say, as they have said to me many times, they believe the act needs to be toughened up so that young offenders who commit serious and violent crimes face serious consequences for their actions. I hope the Liberals, as they go door to door, will listen to Ontarians as they say that.

Mr Galt: It's certainly no secret that the federal Liberals are soft on crime. They're soft on our endangered species. A bill that came in some three times has died on the order paper.

Interjections.

The Speaker (Hon Gary Carr): Would the member take his seat. I am going to have to put the member for Hamilton East on the list of warnings too. You can't continue to shout across like that.

The member for Northumberland.

Mr Galt: Obviously, like their provincial cousins, they're soft on crime. They've been unwilling to take a stand that the citizens of this country can be proud of. This would be a good opportunity for them to realize that Ontario is indeed a leader in putting the rights of victims first and that we have taken steps to reform the system in favour of victims.

Minister, during this federal election, what policies would you like to see created by the federal Liberals to improve their stand on crime?

Hon Mr Sampson: Frankly, I'll take any policy at this point. The Attorney General, the Solicitor General and I have been to many justice conferences where we've pleaded with them to establish changes to the criminal justice act and the criminal justice process to get tough on crime. I believe at the first meeting we went to, we had a list of 10 items, and at the second meeting we went to, we had a list of 15 items. I suspect we'll have a list of 20 items, because the list keeps growing and they just won't listen.

What we need to get them to do is follow the lead of this province and the Premier of this province, who is prepared to allow victims to have a stronger role in the criminal justice process, a stronger role in parole hearings—of course, we have made tremendous efforts to establish the victims of crime office. There are a number of things they can do. I'll take any one of them. We have a long list. I'll take any one that they want to deliver on.

RECYCLING

Ms Caroline Di Cocco (Sarnia-Lambton): My question is for the Minister of the Environment. Yesterday, Dalton McGuinty raised the issue of how you've got out of the business of protecting the environment. Ontario

has the lowest recycling rates in Canada. You are the only provincial government that doesn't mandate the private sector to share the cost of recycling products they have produced. Of course the Provincial Auditor, in 1997, was critical of your government's lack of commitment to recycling programs.

The result of your lack of leadership is that we're now drowning in garbage. We all heard the outcry about shipment of garbage to Timiskaming. Now you're creating a wave of controversy in southwestern Ontario by allowing more shipment of garbage.

Minister, what are you actually doing to provide responsible leadership to solve this problem that's not going to go away; it's only going to get worse?

Hon Dan Newman (Minister of the Environment): Nothing could be further from the truth. The protection of the environment is the role and responsibility of the Ministry of the Environment, and that's what we do.

The member opposite should know that waste management is indeed a growing global problem. I've heard concerns from many members in the Legislature, on both sides of the House, in fact, about the city of Toronto's plan to ship its garbage to the United States. Let me assure you, Mr Speaker, that this government takes very seriously its responsibility to both preserve and protect the environment. As you know, it is our role to review the environmental impacts of waste management proposals and to ensure that the environment is protected. Municipalities, on the other hand, are responsible for determining their own waste management long-term plans.

1450

Ms Di Cocco: Minister, yesterday you were reminded of the fact that the LCBO collected a \$240-million levy for recycling and you spent \$4 million. It's a mere drop in the bucket. Where is the money going?

Whether it's Windsor or Sarnia-Lambton or Essex or London, garbage problems should not be about shipping it from one area to another. What message are you sending to municipalities that are doing the right things? Are you telling them to get out of the recycling business and into the business of shipment of garbage to other jurisdictions? Do you know what responsible leadership is about? It's about diverting from landfills and other progressive alternatives for garbage.

What explanation do you have, in light of all of the facts, that you are out of the business of protecting the environment?

Hon Mr Newman: That is our business in the Ministry of the Environment: protecting the environment. In our continuing efforts to ensure the financial sustainability of waste diversion in Ontario, we are currently reviewing the final report that has been submitted by the Waste Diversion Organization, which is a multi-stakeholder group that we as a government created in November 1999.

Our government continues to be committed to the blue box program and we will ensure that it remains sustainable over the long term. Our government established the

Waste Diversion Organization to provide municipalities with blue box funding support and, more important, the tools they need to achieve greater waste diversion.

I think we all agree that waste diversion is an important aspect of the long-term sustainability of our environment. I would encourage all municipalities to include these alternatives in their waste management plans.

I want to say to you today that I'm committed to ensuring that the work of the Waste Diversion Organization continues beyond its one-year mandate and that the recommendations in its final report—

The Speaker (Hon Gary Carr): The member's time is up. Stop the clock.

Mr John Gerretsen (Kingston and the Islands): On a point of order, Mr Speaker: In the response the minister gave to the member he stated, and I quote directly, "Nothing can be further from the"—

The Speaker: There's no point of order.

The member for Scarborough East.

EDUCATION REFORM

Mr Steve Gilchrist (Scarborough East): My question is to the Minister of Education. Minister, at a recent student forum held by one of the government members, a wide-ranging and very productive discussion took place. The students demonstrated an excellent grasp of the issues and, unlike the opposition members, they saw past the union rhetoric and understood that a sincere dialogue with the government was the only way to get to the truth in this important area.

Far from evading our responsibilities, the students know that our government is prepared to practise what we preach. Much of the recent reform to education has been concerned with accountability. Minister, I'd like to know what the government has done to make itself more accountable for the reforms and the decisions it's made.

Hon Janet Ecker (Minister of Education): It is indeed an excellent question. Accountability is one of the goals that we have for our education quality reforms, and whether it's the minister, the ministry, a school board official, trustee, teacher, all of us as part of the system have responsibilities and obligations to be more accountable to students, to parents and to taxpayers.

That's why the ministry does, for example, an annual plan, sets out targets for what it's going to achieve every year. That's publicly released. We measure how well we succeed on that.

By law, we'll be requiring that the ministry report regularly to school councils on issues and information that they need. We continue to have regular reports to taxpayers using a variety of communications vehicles to talk about the reforms we have underway and why we think they're necessary and how we are delivering on the commitments we made to the voters in 1995 and 1999. Accountability is very important and we are living up to it.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Michael Gravelle (Thunder Bay-Superior North): Petitions continue to fly in related to the northern health travel grant and the discriminatory treatment of the province in that regard.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

It's a huge issue. I'm very grateful for the support we're receiving, and I'm happy to add my name to this petition.

PAPER SLUDGE

Mr John O'Toole (Durham): I'm very pleased to present a petition on behalf of my constituents in the riding of Durham.

"Whereas residents of the riding of Durham have voiced their objection to the storage of paper sludge and related material within the Oak Ridges moraine; and

"Whereas the residents are concerned over the impact of this material on the air, water and soil of the moraine and on the health of those living nearby; and

"Whereas this issue has been raised at several public meetings by both individual citizens, members of the Protect the Ridges Coalition and municipal governments; and

"Whereas the Ministry of the Environment is currently completing a study of the impact of paper sludge in the Durham riding:

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to take whatever steps are necessary to re-evaluate the use of paper sludge in Ontario, including in stockpiling and storage in rural areas, the spreading of this material on farm fields and any other commercial applications for this material. And that such re-evaluation of this process include consultation with residents in communities where paper sludge is spread, stored and processed. And that the re-evaluation also include whatever technical studies are necessary to fully understand the impact of this material on the natural environment."

I'm pleased to support this petition on behalf of my constituents.

CARMEN ROAD OVERPASS

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I have a petition to the Legislative Assembly of Ontario.

"Whereas the community of South Dundas has a major concern regarding the closure of the Carmen Road overpass. The impact on the business community is devastating. Our children are at risk by crossing the busy railway at level crossing (14 buses a day). The cost for the closure alone is astronomical and we appeal to the government to find the funding and repair this bridge immediately.

"We, the undersigned, petition the Legislature of Ontario as follows:

"Repair the overpass immediately."

I also sign the petition.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I agree with the petitioners. I have signed my name, and I'd like to thank Gerry Loughheed Jr for all of his efforts in this regard.

AGRICULTURAL LAND

Mrs Julia Munro (York North): "To the Legislative Assembly of Ontario:

"Whereas the activity of farming is being severely threatened and restricted by urban sprawl and infrastructure construction in the GTA;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to provide protection of the class 1-3 farmland and the business of agriculture and provide a competitive environment conducive to the business of agriculture."

I will affix my name to this.

1500

McMICHAEL CANADIAN ART COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of 20th century Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection; vest too much power in the hands of the founders, who have been more than compensated for their generosity; diminish the authority and responsibility of the board of trustees; limit the focus of the art collection and hamper the gallery to raise private funds, thereby increasing its dependency on the taxpayers; and significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I affix my signature to this petition.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): I am very pleased to present a number of petitions on behalf of constituents like Lynn Trotter, Jim Grieves and others, because I support their concern.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage automobiles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole—that's me—and former MPP John Parker have worked together"—tirelessly—"to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act" to enable the use of vintage automobile plates for registration.

I am pleased to endorse, sign, and ask all members to raise this issue.

NATIONAL CHILD BENEFIT SUPPLEMENT

Mr John Gerretsen (Kingston and the Islands): I have a very short petition, which is forwarded to me by the Action on Women's Addictions—Research and Education committee in Kingston. It merely states this. It's very powerful and forceful. It is addressed to the Legislative Assembly of Ontario.

"Whereas the government of Ontario claws back the national child benefit supplement from families on social assistance,

"We, the undersigned, petition the Legislative Assembly of Ontario to stop its discriminatory practice and return the national child benefit supplement directly to its rightful recipient—the family on social assistance."

I agree with the petition and have signed it accordingly.

FARMFARE

Mr David Christopherson (Hamilton West): Further petitions from farm workers, addressed to the Legislative Assembly of Ontario, as follows.

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits; and

"Whereas the Harris government of Ontario has not provided for any consultation or hearings regarding this initiative; and

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7; and

"Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario."

On behalf of the NDP caucus, I add my name to those of these petitioners.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature, and it concerns northerners demanding the Harris government eliminate the health care apartheid which presently exists in this province.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

Of course I affix my signature to this petition.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): Further petitions from Sarnia.

"To the Legislative Assembly of Ontario:

"Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands' work clothing; and

"Whereas similar cases are occurring in other areas of the province;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home."

As my caucus agrees with this position, I proudly add my name to theirs.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in their communities."

This is signed by a number of my constituents in Atikokan, a small community where residents routinely have to travel 200 kilometres to get health care.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): The CAW continues their campaign of fighting against cancer in the workplace. Their petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government"—

Interjection.

Mr Christopherson: Why do you have to heckle every time I read something to do with human rights?

Mr Steve Gilchrist (Scarborough East): I just heckle because it's you.

Mr Christopherson: "Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

"That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

I add my name to those of these petitioners.

INVESTIGATION INTO CHILD ABUSE

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I have a petition to the Legislative Assembly of Ontario.

"Whereas Garry Guzzo, MPP, Ottawa West-Nepean, has brought forward Bill 103, An Act to establish a commission of inquiry to inquire into the investigations by police forces into sexual abuse against minors in the Cornwall area; and

"Whereas Bill 103, 2000, has the public support of John Cleary, MPP, Stormont-Dundas-Charlottenburgh,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact Bill 103, Inquiry into Police Investigations of Sexual Abuse Against Minors in the Cornwall Area Act, 2000."

I have also signed this petition.

1510

ORDERS OF THE DAY

TIME ALLOCATION

Hon Dan Newman (Minister of the Environment): I move that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties, when Bill 124 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered to the standing committee on finance and economic affairs; and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the standing committee on finance and economic affairs shall be authorized to meet during its regularly scheduled meeting times on one day for clause-by-clause consideration; and

That pursuant to standing order 75(c), the Chair of the standing committee on finance and economic affairs shall establish a deadline for the tabling of amendments or for filing them with the clerk of the committee; and

That the committee be authorized to meet beyond its normal hour of adjournment on the that day until the completion of clause-by-clause consideration; and

That at 4:30 pm on the final day designated by the committee for clause-by-clause consideration of the bill, those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than November 14, 2000. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on finance and economic affairs, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading;

That when the order for third reading is called, the remainder of the sessional day shall be allotted to the third reading stage of the bill, the debate time being divided equally among the three caucuses, after which the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "Deferred Votes"; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

Ms Marilyn Churley (Toronto-Danforth): On a point of order, Mr Speaker: This is a complete betrayal of what was offered by the Deputy Premier to our, the NDP's, deputy leader when asking a specific question about this bill. As you know, we have major concerns with it. The Deputy Premier that day said, "I can assure the member opposite"—

The Acting Speaker (Mr Michael A. Brown): Order. I didn't hear a point of order. Under which standing order are you rising?

Ms Churley: It breaks the spirit of the agreement we had in House leaders' meeting and it breaks the spirit of what the Deputy Premier—

The Acting Speaker: Order. That is not a point of order. Debate.

Hon Mr Newman: I welcome this opportunity to debate the motion to allocate the schedule for the remainder of the Toughest Environmental Penalties Act, 2000, so that, without further delay, this bill can be voted on. I want to thank all the members who will take part in the debate this afternoon.

The goal of the Toughest Environmental Penalties Act, 2000, is to maximize the effectiveness of the safeguards that protect Ontario's air, water and land. I know this is a goal shared by all the members of this Legislative Assembly. I know that all members desire a clean environment for the health, well-being and prosperity of the people they represent and indeed for all Ontarians.

There are several key requirements for strong environmental protection. We need tough standards and effective programs and policies, we need high-quality monitoring and reporting, we need to ensure compliance and be able to conduct investigations and prosecutions when compliance is not forthcoming and we need tough penalties to serve as a credible deterrent. If passed, this bill will be more than a credible deterrent; it will become the law of this province.

I believe the Toughest Environmental Penalties Act, 2000, is a very important piece of legislation for our province. I would like to expand on three of the reasons I believe it is so crucial. The first is the deterrence factor: we need to send a loud and clear message that it doesn't pay to pollute in Ontario. The second reason is that tough penalties protect the vast majority of individuals and companies who do play by the rules. Third, the tougher penalties we are proposing will increase the strength of our environmental protection and show the commitment of the Mike Harris government to our environment, to ensure cleaner, more prosperous communities for all Ontarians.

One of the challenges of environmental protection is the fact that there are people who do not obey the laws that have been put in place to protect the air, water and land in our province. They show callous disregard for the environment and for the health of other people. They believe their short-term gains outweigh any further losses for their community and for future generations.

This government has worked hard to stop polluters. We have put a lot of effort into ensuring the soundness of our environmental protection system as a whole. We have made regulations better, stronger and clearer. We have given ministry staff better tools for ensuring compliance and investigating suspected offences against the environment. These tools include more modern investigative aids and techniques. We have broadened the scope of enforcement to cover not only those caught breaking environmental laws but also the behind-the-scenes operators, and we have toughened the penalties for environmental offences.

Clearly we need to build on these accomplishments to provide maximum deterrence. We need to do this because, frankly, we are still seeing many of the same faces in our courts. There are a number of bad players who persist in polluting in this province. This legislation needs to send a message as quickly as possible that they have met their match. We need to make it even more obvious to them that pollution does not pay. We need to give Ontario the toughest fines and jail terms in Canada for major pollution offences. That is exactly what the passing of Bill 124 would do today.

If we work together and quickly pass the Toughest Environmental Penalties Act, 2000, it will send an important message to these repeat offenders. The message is simply that the elected representatives of this province are united against them. Our desire to put an end to their behaviour transcends party lines.

We must work together and give priority to the health, well-being and prosperity of Ontarians. Our families and communities, especially the children and future generations, will be the beneficiaries.

We also need to send a message to those who obey the environmental laws of this province. We need to tell these individuals and companies, and they are clearly in the vast majority, that we appreciate their efforts and we will not let them down. We have taken strong action on behalf of the good environmental players and will continue these efforts. We will not rest on our laurels. We will be like Simon Whitfield, the Canadian triathlete who won gold this past summer in Sydney. We will persevere as long as there are polluters we have not caught. We will track them down one by one, and even if we have to come from behind, we will win.

Unlike a race, there is no finishing line when it comes to protection of the environment. There are times when great gains are made—and Ontario would make great gains with the passing of the Toughest Environmental Penalties Act, 2000—but there will always be the need for adjustments and refinements as new knowledge and situations arise.

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By keeping to this course, we are making it known to the good environmental players that we are on their side for the distance. The individuals and companies that focus on their environmental performance have a big advantage on polluters: intelligence. It's not simply the desire to avoid stiff penalties. They have a broader awareness of the importance of meeting the requirements of the law. They know they are contributing to the health and well-being of society at large.

They also know that strong environmental performance contributes to strong economic performance in terms of efficiencies to be gained, market advantages and so on. In fact, the environment itself is one of the strongest drivers of economic growth in Ontario. We do not want to lose the momentum that has been achieved by the good environmental players. I urge the members to pass the Toughest Environmental Penalties Act, 2000, to help us maintain and build upon this momentum.

The final and most important point I'd like to make about the proposed bill is that it would be good for the environment. A sound environmental protection system depends on good standards and on the ability to effectively enforce them. By passing this bill, we would increase the effectiveness of the actions we have taken on so many fronts to protect Ontario's air, water and land.

We are fortunate to live in a province that is economically strong and blessed with an abundance of natural resources. But we must be constantly vigilant to ensure that our environment is not compromised by the few who would put short-term profits over the interests of our air, water and land.

I urge all the members of the Legislative Assembly, in the strongest terms possible, to support the Toughest Environmental Penalties Act, 2000. If we work together in passing this important piece of legislation, we will send a strong message to everyone that offences against Ontario's environment will not be tolerated.

The Acting Speaker: Further debate?

Mr Joseph Cordiano (York South-Weston): I rise today very pleased to speak on this bill. The bill we're contemplating is really a question of the difference between the hypothetical and reality. The hypothetical is that this government passes such a bill, which solves the problem they're dealing with, which results in tougher penalties, which results in a lower number of violations with respect to environmental laws being broken. A greater number of penalties are imposed, and they're tougher.

However, the reality is they will never be enforced, and therefore there will not be the number of cases brought and charges laid. So you have the difference between what the government deals with in terms of a political problem and its attempts to solve its political image with the public, which is to say, "We brought forward tougher laws. We are not soft on environmental crime." That's what it amounts to.

Essentially, the government is posturing, suggesting we are getting tough on environmental crime. That's the only way we can describe it. We're getting tough on it, we're increasing penalties. But the reality is that this government has decimated the Ministry of the Environment and its enforcement branch and therefore does not have the ability to carry out the enforcement required to back up its rhetoric.

This government has demonstrated that from the very beginning, when it was first elected, by downsizing the Ministry of the Environment by one third. Nine hundred staff were laid off at the Ministry of the Environment. Its budget was cut by \$121 million.

Mr Rick Bartolucci (Sudbury): What percentage is that?

Mr Cordiano: That's a 42% reduction. A 30% reduction in the compliance and enforcement branch resulted in 141 staff being fired. This is like the jail guards leaving the keys of the jail right there for the inmates to unlock themselves and sneak out any time they want. Of course, they've done that in the boot camps.

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): We did correct that incident.

Mr Cordiano: My good friend the former minister of corrections is here today, and I know he'd like to correct that incident. If he were the minister, I'm sure he would want to do that.

But when all is said and done, this is a government that does not stand up true to the environment and its protection. It does not do that with the full force of the law and with any kind of vigilance. When all is said and done, the problem this government faces is that the Ontario public does not believe that this government truly is tough when it comes to dealing with environmental violations. It's not going to do it. It does not have a track record. It does not have the credibility that's required.

As we know, not dealing with these problems today means that we will have enormous problems tomorrow. Our children will inherit this huge environmental deficit—that's the only way you can describe it—the cost of which will be rising. Trying to deal with the pollution problems of tomorrow could very well bankrupt future governments if we don't deal with some of the huge problems we're facing today when it comes to water pollution or air pollution. These are problems that are not going to go away unless we take immediate action today, and taking the action that is required today means that it will cost less tomorrow.

We have all kinds of new technologies that are available to us to divert waste, to divert the kinds of wasteful initiatives we have been seeing just recently with the Adams mine.

Mr James J. Bradley (St Catharines): Such as that advertising.

Mr Cordiano: The wasteful initiatives we're seeing by this government in terms of advertising: a huge, full-colour brochure. Once again this government uses propaganda to talk about issues that—

Mr Bradley: There's a picture of the Premier in there.

Mr Cordiano: Where's the picture? Let me see. Oh, here he is right here: "A message from the Premier."

Again and again—and we saw this in all kinds of ministries. Just recently, in the summer, the Minister of Community and Social Services put out another piece of propaganda talking about welfare and the reduction of the welfare rolls, yadda, yadda, yadda. At the end of the day this government, on every single issue, will send out a piece of propaganda to talk about, "Isn't the government great?" patting itself on the back. Millions and millions of dollars are wasted on government advertising. That's the only way you can describe it. This is blatant. Previous governments could never have gotten away with this kind of nonsense. Never, ever did they even attempt to do such blatant advertising.

This is a full-colour brochure, great colours of fall. Look at that.

Interjection: Pumpkins.

Mr Cordiano: Pumpkins. Every season has a new propaganda pamphlet out there. That's what we're seeing from this government, rather than dealing with the very real problems of the environment.

This bill does nothing to convince those of us who are very skeptical about this government, and that list is growing. Every day the Ontario public becomes more skeptical about this government's true intentions when it comes to the environment, the vigilance with which this government is dealing with environmental problems, whether it's water or air pollution, or garbage for that matter. This is not a government that takes these problems seriously. It's not a government that is in effect dedicating additional resources.

We have a glorious opportunity at this present time to take the initiative in this province to support emerging technologies. It's a great time to do that. It's a great time for Ontario to show leadership, to make certain that the future is a better place for all of our children, that we're not passing on a legacy of enormous costs which will, as I say, affect future governments and the economy of this province. At some point down the road the bill for these enormous costs will come in and we won't be able to deal with it.

This government has a terrible legacy, a terrible record when it comes to the environment. It is third from the bottom of the list, where all North American jurisdictions are concerned, as the worst in dealing with environmental questions. It has not proven to the public that it will do so with any kind of vigilance. Therefore we look at a bill like this and tell ourselves that this is nothing more than posturing on the part of the government, as they have demonstrated time and again they will do when they realize there's a political problem, that there's a perception problem: introduce a bill or send out a pamphlet to deflect any real criticism; create the alternate perception out there that in fact they are doing, that they are taking action, that they are vigilant about these problems we're facing.

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That's the style of governance we've seen from this government time and time again. When it comes to the environment, we should be depoliticizing this question. It should not be a partisan question; it should not be a question at which we have any kind of division. All of us in this House should be for environmental protection, should be vigilant in our efforts to ensure that there is good public policy to protect the environment. After all, it affects all of us. It should be "apple pie" that we're talking about. We've dealt with many other issues in previous years. This one should be an issue that does not have to be politicized.

It's a question of dedicating resources and having the political will to deal with some of these problems, and they will be solved. Once again it is a sad thing that this government does not recognize that in dealing with the environment, and ensuring that there is clean water and air, we're providing to all of the people in the province a great service and doing what is required of us as

legislators. That is the first and foremost priority for all of us.

I think the time has come, in this new century, to declare that the environment is something that will be depoliticized and no longer a partisan question, that it can be something all of us work and strive to achieve with respect to better air and better water for our children in the future.

Unfortunately that is not the case and unfortunately that is why some of us stand up in the Legislature and have to make these kinds of speeches and have to be skeptical about governments that do not recognize the need for greater protection and enforcement and dedicating true resources to dealing with these problems. This government has failed miserably to do that and it is a real shame in this province.

Ms Churley: Mr Speaker, I'm sorry that I rose earlier on a point of order that turned out not to be a point of order, and I realize you had to do your job and rule me out of order on it, but I was making the point because I feel that some faith was broken in this House today.

In the spirit of co-operation and agreement about this bill, I was led to believe and understood that there would be some—not enough but some—time for public hearings on this and some time to make amendments. What we've got before us today is yet another closure motion, a motion to shut down debate and shut down the public. The public will have no input in this bill whatsoever now. We will have a few hours of what's called clause-by-clause so that we can put forward amendments which, my assumption based on what's happened here today, will go nowhere.

I'm hoping very much that at the very least some of the concerns we raised in this House will be incorporated into amendments that can be made to fix this bill, which has some really deep flaws which we have pointed out repeatedly here. Let me tell you two reasons why I believe we should have at least some public hearings.

The deputy leader of the NDP, the member from Beaches-East York, Frances Lankin, asked a question in this House to the Acting Premier on October 16. I was in Walkerton that day, it was the first day of hearings in Walkerton, and my leader was also in a community, so Ms Lankin asked this question on behalf of our caucus and pointed out a very deep flaw in the bill, a very important flaw. I'm going to tell you what that flaw is first so members will understand one of the reasons why the NDP caucus has such a problem with this bill and why we want it to have public hearings, so that the government could hear from people who are experts in the environmental field who could give some advice. But no, they don't want to hear that.

The issue she brought to the attention of the Acting Premier that day, and the Acting Premier on that day was the Chair of Management Board of Cabinet, was that she told him about what we had discovered in this bill, and they don't talk about this. They never told us in the explanatory note that they were actually weakening the bill before us. What she asked about was that, right now

on the books, there is a law that allows administrative penalties against a director or an officer of a corporation who has failed to take all reasonable care to protect the environment. This law that this government is getting up and bragging about day after day repeals that. It's actually a bill before us that brags about increasing penalties, which nobody can disagree with on the surface, but that's the only bit of the bill they talk about. That was the question she asked that day to the Acting Premier.

I'm going to quote to you some of the words from the Acting Premier that day, the Chair of Management Board. He said, "I can assure the member opposite that our draft legislation will go through consultations. I know that you would agree with"—and blah, blah, blah about that. He said "I can assure," not "maybe," not "I will speak to the minister," and he was speaking for the government members that day. He said, "I can assure the member opposite that our"—and he called it—"draft legislation will go through consultations."

We took the government spokesperson of the day, the head of the government that day, at his word that there would be—well, what does "consultations" mean? It doesn't mean just speeches in this House, which these guys don't listen to anyway. It means consultations with the public so they have an opportunity to express their concerns about this bill directly to government members on a government committee. That is what we expected.

The other reason I expected some hearings on this, albeit not enough, is that I, as the whip of the NDP, sit in the meetings that take place weekly between the House leaders and the whips of all three parties, where we sit down and to the best of our ability try to negotiate how this place is run, while recognizing that the government holds all the cards, especially since they've changed the rules to the point where the opposition's role has been reduced to very little, with very few tools left for us to show the truth of what's happening in this place and the content of bills.

But there are some opportunities for us to sit down and negotiate. One of the things we talked about was hearings for this bill before us today, the closure bill. Let me remind people again what that means. It means that they're going to shut down debate on this bill before us today and that there will be no public hearings. In the House leaders' meeting, I had made it very clear that I wanted some days of hearings. I knew I wasn't going to get a lot so I didn't push for too much. I said I'd like a couple of days, with a day for clause-by-clause. We left it with the possibility that the best I could get was a day of public hearings and a day of clause-by-clause. It was left up in the air, and no agreement had been made, because the House leader said he would talk to the minister about it.

What he came back with today was this proposal. There was no discussion about it, no negotiating. The heavy hand of the government once again came back and said, "No, there will be no hearings whatsoever." Clause-by-clause: I assume that's because the government must have some amendments, and we will see if some of the

urgent matters our caucus brought up about the flaws in this bill—if the government will bring forward those amendments.

The bottom line on two occasions—I negotiated in good faith on behalf of our caucus and on behalf of the groups that have an interest in this bill. I know the whole world is not paying attention to this bill and some people might wonder why I'm kicking up such a fuss about it. On the surface, in the whole scheme of things that are happening to our province under Mike Harris's watch, this either seems, I'm sure, to most people, if they're paying attention, insignificant, or the way the government talks about it, like a good thing.

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Let me tell you and remind you again why it was so important to have a proper, full debate in this Legislature about this bill, and why it was critical that environmental groups and perhaps community folks would want to come in and express their concerns, or maybe even some big business might come in in favour and say, "Yes, increase the penalties on us." There are a lot of problems with this bill, and the increase in penalties is something we're going to hear the government brag about time after time because their environmental record is so weak and so embarrassing to them.

What this will do is they'll be able to stand up, as they've done repeatedly in this Legislature, and say, "Hey, we're great. We brought in the toughest penalties in Canada." The penalties are pretty tough right now. They're pretty high and nobody objects to making them higher. It's a good thing. The bottom line, though, is that somebody's actually got to enforce the law and they're not enforcing the existing law.

Let me remind people again of what has happened with enforcing the law under this government's watch. This is just about water pollution, which for obvious reasons folks are paying attention to right now because of what happened in Walkerton. Let's talk about water violations for a few minutes.

This is from a report—give them credit for it—Ontario's Environment and the Common Sense Revolution: A Fifth Year Report, put out just recently by the Canadian Institute for Environmental Law and Policy. These are experts and their research is impeccable. Nobody can argue with it. "Increased violations of water pollution standards: Violations of water pollution standards increased between 1996 and 1998. A total of 167 companies and municipalities violated water pollution standards, guidelines or regulations in 1998, with a total of 3,363 violations, up from 1,013." That's up from 1,000 violations in 1996.

Now get the second part to this, and this is what makes such a mockery of the bill that we have closure on today: "An analysis of water-discharge violations by the Sierra Legal Defence Fund found that from 1996 to 1998 there has been a tripling of water pollution standards violations by companies and municipalities in Ontario. In 1998, the last year for which data is available, there were more than 3,000 violations.... A total of 167 companies violated

water pollution standards in 1998." Two thirds of those were repeat offenders.

Since 1998—remember all those numbers I just read to you, some of them being repeat offenders—there has been only one prosecution for a breach of waste water discharge laws. This is what we really should be dealing with in this Legislature. The horse is already out the barn door.

There is no problem with making the fines higher, but it doesn't make any difference, partly because of what I said—they're not prosecuting and they're not inspecting and enforcing. They don't have the staff to do it. Furthermore, I believe this government believes they should let these folks off the hook. They are their friends.

I think the proof is in the pudding. One of the second major reasons we object to this bill, and I ask the minister to make an amendment to actually bring in a law—I'd do it by a private member's bill but it would be a money bill and the opposition isn't allowed to do that by a private member's bill—is that there was a Supreme Court decision made just last year, I believe, which actually allows companies to write off fines. It doesn't matter if it's \$500 or \$5 million, they can write off a fine on their income taxes. So it's just a matter of doing business. They can claim it on their taxes no matter how high the fine is. They can claim it, write it off on their taxes.

Think for a moment about what that means to the taxes that we pay. It means that those corporations, if they're fined, can write the taxes off. They actually save money and we, the taxpayers, through the back door, end up paying the bill for the violations of a company polluting the environment.

Those are two very major flaws in this bill. One of them is at the government's own hand. They are actually removing a piece of legislation that one of their own ministers brought in some time ago. Now why? You have to ask yourself. This government brought in something that I applauded, and I don't get the opportunity to do that very much because of this government's record on the environment. But I said that was a good thing. I was pleased to see that.

Why would the government remove it and hide it? They didn't talk about it. We discovered it. We discovered it was hidden in the small print and not a word about it in the House. It was a strong aspect of the existing law where corporations, where the CEOs, a director or an officer of a corporation could suffer administrative penalties. That's gone now, so this bill is actually weakened.

We're in a real dilemma here. There's reason to support the bill on the surface because it's raising penalties, but then we would also be supporting a bill that's actually weakening the law, supporting the government on something that they talk about as though it's a major piece of environmental protection when, in fact, they're weakening the law and they're not enforcing the existing law.

What did this government do after the terrible tragedy in Walkerton? We kept waiting for them to come forward

with some real, meaningful responses to the terrible wake-up call, the deaths of people in Walkerton. Finally, my colleague Mr Bradley, the member from Niagara who is the Liberal critic for the environment—he and I both came out to the announcement.

I have a press release that the NDP put out that day: "Tories dribbling out dollars for clean water." I remember the press, in fact, picked up on that line and it was all over the media that day, that they're dribbling out dollars where a flood of investment is needed.

I remember that day very well, because I was thinking that the government is going to make a reasonable investment today in sewer and water, and I was prepared—sometimes the opposition actually are prepared and should be prepared when something good is done—to congratulate the government.

You know what? I went that day ready to congratulate the government, because I fully expected a real investment. To my shock—it really was unbelievable; it was wasting our time; it was smoke and mirrors which fortunately did not work with the media or anybody else—what they did was reannounce a health and safety program, \$240 million over two years, which already existed. No new funding whatsoever was announced to bring sewer and water treatment systems up to standards. As well, that \$240 million could also be used for projects—

Mr Bradley: For bridges.

Ms Churley:—such as bridges and road repairs and things like that instead of dedicated solely to clean water.

This was such a feeble and inappropriate response to the tragedy of Walkerton, and it continues to be smoke and mirrors. We have not seen any real, serious action from this government since the events in Walkerton, except these kinds of announcements that are simply smoke and mirrors. That's what this bill is all about.

As I said, I think it's up to the opposition whenever the government does something good on the environment and in many other areas. I can assure you, I can look all I want and it's hard to find something. Sometimes it's just because we disagree on the right approach to the same ends, but quite frequently it's because this government repeatedly, in every area, is tearing down what successive governments of all stripes have built up over the years, and that is particularly true in the environment.

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The funding for the Ministry of the Environment right now is at about the same level or perhaps even lower than the level of funding when the Ministry of the Environment was started under a Tory government in the 1970s. That's how far backwards we've gone. We now have, when you combine what's called operating and capital, a whopping 60% cut. We've been talking about a 30% cut in this House for some time, but again, in this latest report—and the numbers are good, they're clear, adds it all up—in fact it is a 60% cut. Staffing has gone way down, by about a third. Let's get our number straight here: we're talking about 1,000 staff laid off, not 900,

and we're talking about a 60% cut to the Ministry of the Environment.

The staff aren't there to uphold our environmental laws any more and that's what makes me so angry about this. The staff are not there and they keep standing up saying, "We're doing more with less." They keep standing up and saying—

Mr Bert Johnson (Perth-Middlesex): Much more.

Ms Churley: "Much more," says the member from Perth. Nobody believes you, nobody. It's ridiculous. When you all stand up and say, "Under the NDP you had all these staff and you didn't need them and they weren't doing anything," nobody believes you. People are very well aware that even in a deep recession, we made a decision to continue to invest in environmental protection. We did that knowing we were getting a lot of flak; in fact, from that party, many of whom were sitting right here then. For every dollar spent on important investments in our health and in our environment and other areas—

Interjection.

Ms Churley: We saw what happened when this government came into power and started deregulating like crazy and cutting the Ministry of the Environment. We've got a crisis on our hands. Their own draft cabinet document, which was leaked to us and the NDP released it, said very clearly—it is not just the opposition saying this; it is not just the previous Environmental Commissioner and now the present Environmental Commissioner; it is not just the auditor; it is not just all kinds of environmental groups—their own government officials who worked for the Ministry of the Environment said in this document that there is a problem. This came out. This document was clearly rejected. It said there is a problem. Less than 10% of all sources of pollution in this province that are affecting our health and our environment are being inspected. This document recommended that up to 500 new staff be rehired to deal with these problems. But it was very clear that they knew this government wasn't going to do that, so they came up with a compromise: 139, I believe it was, a SWAT team.

The document also said that there was a perception that the government wasn't protecting the environment. They had to make sure that perception was dealt with, so they came up with this idea of a SWAT team of 130-odd people who—and the document said it very clearly—could not deal with over 90% of pollution sources which weren't being inspected, but there would be targeted areas. What the government did in September was bring in half of what was recommended in this document, 65 or something like that, and they are only on an 18-month contract. Then we find out that there was an internal document in the Ministry of the Environment saying that some of these folks would just be transferred from other areas. So another piece of nonsense brought before us when we have an environmental crisis in this province.

I have tried and my caucus has tried, the few days and evenings when we've had the opportunity to debate this, to repeatedly point out the problems with this bill. We are

not opposed to making the fines higher. Why not? But if you're going to make the fines higher, it's got to be meaningful. You've actually got to hire the staff. I believe the public will support me in this and will support others in this who are calling for a reinvestment in the environment.

When the government stands up—and they will do it again today; I can see it coming. They may not use the words "more with less" any more. They don't need all this new staff, they've got new technology—blah, blah, blah—to get this thing done. It isn't true. It isn't correct. You're not protecting the environment.

The evidence is all right in your hands, even from government documents, but you're all sticking your heads in the sand and not paying attention to the warnings that are out there. It's true that you're not paying attention to warning signs, and you're playing with people's lives. It's a very dangerous thing you're doing.

Interjections.

Ms Churley: You are. It's true. Unfortunately, it's one of those "I told you so's" you wish you never had to say.

After the Walkerton tragedy I dug out Hansard. To people watching who don't know it, Hansard is the record of everything that's said in this Legislature. From things I and my leader Howard Hampton have said, that Eva Ligeti, the former Environmental Commissioner, has said, and things the auditor has said, from as early as 1992, there were dire warnings about drinking water and groundwater in this province.

The warnings became increasingly alarming, because they were put in the context of staff and budget cuts. Nobody was there any more to mind the store. We all know there were problems and issues around our drinking water and groundwater for some time. Once again, other governments, including the NDP, were moving forward. We set up OCWA. We had a municipal assistance program for sewer and water. We set up what we called Clean Up Rural Beaches, which was specifically to deal with agricultural manure runoff. I could go on and on, which we have done in this Legislature before, about the things we did, even in a recession, to move forward, because we knew there were problems.

The reason these warnings were so alarming was because they were put in the context of staff cuts and deregulation. Suddenly it became clear that without the staff to enforce what already existed and without the money being put into new sewer and water projects—all these things were cut. The CURB program, the agricultural runoff program was cut. All these things were cut. There weren't—aren't—enough staff there to enforce the existing laws.

There were warnings. That's what I'm trying to say to government members who still don't want to listen. There were actually warnings that there could be dead bodies as a result. I'm sorry to say that. I pointed it out in the House before. The warnings were there, and again, just like now, we were being laughed at and told, "You

don't know what you're talking about. We're doing more with less." All the usual—

Mr Gilles Bisson (Timmins-James Bay): All the doublespeak.

Ms Churchill: Yes, doublespeak. After what happened in Walkerton and all the information we now have about water problems across this province—old infrastructure which is going to cost up to \$9 billion to correct and rebuild—all the information we now have about air pollution and the fact it's literally killing people and that so many sources of pollution aren't even being inspected, and after we've had a situation where people died, you would think that when the opposition and others stand up and say to the government: "This bill means nothing. You're actually weakening a law. You're trying to pull the wool over people's eyes once again. It's not going to work, because what we need is real protection here."

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The technical standards division—I'm going to bring this in because it's relevant as well. I used to be the Minister of Consumer and Commercial Relations. That's a ministry that deals with safety laws and consumer protection and also regulates a lot of industry in this province. A very important part of that ministry used to be to protect people. Think about bungee jumps, amusement rides at the CNE, elevators and leaking underground storage tanks—there's another area. When I was the minister I was responsible for that. It's a little-known fact, but I was aware that leaking underground storage tanks in the US—we don't have comparable statistics here—are the number one source of contaminants of groundwater in the US, and there's no reason to believe it's any different here. They are everywhere. Our government brought in the toughest regulations around leaking underground storage tanks, I believe, in all North America. That too comes under the technical standards division.

Recently, we had a bit of a filibuster in this House over that bill, because the government has transferred it all to the private sector. It's now a private entity out there that's in charge of all our safety laws. We pointed out in committee—and I made some amendments—that there was a problem with this bill. I think that was the wrong way to go in the first place. Our party did not support it when they brought it forward, and I made amendments that would at least make this body accountable to the public: to the government, to the Ombudsman, to the auditor. It's not accountable to anybody. I'm not saying there aren't some good folks over there, but the board is mostly made up of industrial types. We need accountability when it comes to our safety laws.

It seemed like we were getting somewhere with that, because they were forcing this bill through in the middle of the Walkerton crisis. In the debate, Mr Runciman, the Minister of Consumer and Commercial Relations, was here one day and told me he was listening and that we had raised some very important points. Suddenly, they didn't try to get the bill through any more before the Christmas break. It felt like a minor victory at the time,

that the government did take our concerns seriously. In all sincerity, I believed that Minister Runciman did, but he must have gotten overruled along the way. I believed he was at least going to bring in amendments to include the accountability structure. In other jurisdictions across the world, in a few other areas that have done this, they do at least have this entity accountable to the government and various overseeing bodies. But no. We came back and it was shoved right through.

I bring this up in the context of what we are talking about here today, because we are talking about health and safety. When you start fooling around with the laws and regulations that have been put in place over the years to protect people's health and safety, then you've got a problem. We've got a very big problem here in Ontario.

We have seen environmental laws treated like red tape. In fact there's a Red Tape Commission, and a lot of the changes made to environmental law in this province have been made under the Red Tape Commission. Do you know that because of the way that body is set up, they are not what we call FOIable? Did you know that? It's amazing. It's the same thing with the technical standards body that was set up to oversee our safety laws. That's why I brought the two up together. There's no accountability. Anything the Red Tape Commission decides on, any change, whatever they consider red tape they can just pluck out. It's gone, and we don't have access to freedom-of-information documents on that. That's pretty scary, and that's not what government is supposed to be all about. The government is supposed to be accountable to the people of Ontario.

Mark my words, when it comes to their safety and their health, to future generations, to environmental protection, to protect our natural heritage for our children, our grandchildren and beyond, they want our government there to protect that.

I'm distressed by this today, and again I'll be the first one to say that I don't believe there's going to be a huge amount of public attention to this. There's a federal election going on. My deputy leader of the NDP today pointed out to the Minister of Health that there's a lot of interest in that, and so there should be, with nursing homes, frail seniors. There are education problems, there are problems in health, there are problems across the board, and this seems on the face of it as the government presents it, while deliberately not telling people—we discovered that they're actually weakening the law here and making it easier for corporations to pollute. That this is a good thing here, that we're going to have the highest fines in Ontario, sounds good. But what people want in this province is to see a government that is actually enforcing existing law.

I want to say again in closing, because I want to leave some time for my colleague, who is actually on House duty today and I'm sure wants to speak to this before the end of the day, that when you stand up—and I listened to some of the debate last night and I heard again the member for Beaches-East York give a very good account, as we've been repeating over and over again, of

our concerns with this bill. I listened to some of the members respond and I was really disheartened, because I believe that there have got to be some intelligent members over there—notice I said “some”—who actually do get it. But they all stood up and mouthed the words they’ve been given by the Ministry of the Environment folks—I guess the minister’s staff—and the Premier’s office, I’m sure, and said the same things again, very clearly not listening to the areas, the issues that we pointed out are extremely problematic.

I’m hoping, even though there’s not a lot of attention being paid to this bill and the fact that the government brought in closure today—and I wonder why they did that and why we can’t have committee hearings, because the government sees this as a good-news story, and what we are pointing out repeatedly every chance we get, and now we are being shut down, is that this is not a good-news story, that in fact you’re weakening the existing law and you didn’t tell the people or the opposition about that. We had to ferret that out for ourselves. We had to take the opportunity to tell people that the government isn’t even enforcing existing laws—as I said earlier, over 3,000 last year in the water area alone and they only had one prosecution. I’m talking about 3,000 violations here and one prosecution. How can they seriously stand up and say that increased penalties—the toughest penalties in the whole world, they seem to be saying—are going to make any difference? Anyway, it’s up to the judge. You’ve got to inspect, you’ve got to enforce, you’ve got to prosecute, and then the judge makes a decision based on whatever the highest penalty is. So again we have no objections to higher penalties, that’s a good thing, but it doesn’t mean anything in the context of your governing and your lack of protection of the environment.

I’m sick at heart about this today because I have to admit that I don’t believe there’s a whole lot of public attention being paid to this yet, and I believe that’s why the government is forcing closure today, bringing in closure. I believe that’s why they are not allowing even one day of public hearings so that those with concerns about the bill could come in and tell the government what changes they’d like to see. Why would they be closing the debate on this, shutting it down and denying us even one day of hearings? I can tell you why. This bill was supposed to be nothing but good news, was supposed to have the opposition parties standing up and saying, “Finally you’re doing something good.” When we dug deep, we found out the problems with the bill and the fact that there’s still no new money for enforcement, for inspections in this province, that it means nothing. They want to shut that debate down as quickly as possible so that hopefully people aren’t paying much attention and they can get away with yet again another smoke-and-mirrors announcement.

1610

In closing, let me say to you that this government has been warned in the past about dire consequences if they did not staff up the inspections, the enforcers, and not only that, but the people who prevent pollution in the first

place: scientists, the others who are out there trying to keep the pollution from going down the pipe in the first place. Those people are all gone. They don’t want to talk about the real issue, the demise of the protection of the environment in this province. They want to talk about increased maximum fines. Thank you very much. It is absolutely meaningless.

I would love for one of the members sitting over there today to stand up, to take a stand—I don’t expect anybody to say, “You know what? You’re right,” but to take a stand on this and say that there are clauses in this bill that we are going to make amendments to, particularly the one that we keep pointing out is a problem, and that they will be the one person in that caucus who is actually going to stand up for the environment for a change. There is not one of them over there willing to do that. I don’t know, maybe they all think they have a chance to get into cabinet. Who knows? But wouldn’t it be nice? I can assure you I can name some of you who won’t, but if just one person in that caucus would actually stand up for the environment, for environmental protection in this province, and say they’re going to be the one to urge their own government on to hire back at least 500 staff out of the 1,000 they fired and to reinvest to protect our air and our water and our children’s and our grandchildren’s health.

That is what this is all about. This is not about smoke and mirrors, this is not about pulling the wool over people’s eyes and pretending that they’re doing something good; we’re talking about life and death here. We’re talking about what governments are supposed to be all about. My heavens, if there’s one time, one area where people actually want governments to be in their face, where people want money to be spent, where people want the staff to be there to uphold the laws, it is when it comes to protecting their environment and their health.

I would urge the government today to rescind the motion put before us and allow some public hearings on this and allow us to fix this bill so it actually has some meaning.

Mr Dominic Agostino (Hamilton East): On a point of order, Speaker: There’s great interest over here in those comments and I’d like to ask if we have a quorum, because I think I’d like to have as many people here as possible to listen to the members’ comments today.

The Acting Speaker: Is a quorum present?

Clerk at the Table (Ms Lisa Freedman): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Haldimand-Norfolk-Brant.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I’m pleased to have this opportunity to recap some of this government’s actions and achievements which demonstrate our commitment to strong environmental protection and enforcement.

The legislation we're debating, the Toughest Environmental Penalties Act, builds on a strong record of environmental accomplishment. As you're aware, we've taken many actions as part of Operation Clean Water to ensure that Ontario's water supplies are safe and clean. All members are aware of our tough new drinking water protection regulation, which for the first time gives the force of law to tough standards designed to ensure clean drinking water for people in Ontario.

Protecting drinking water throughout Ontario is a key goal of Operation Clean Water. Environment Minister Dan Newman and I are now consulting on what small waterworks can and should do to safeguard the drinking water they provide to the public. Essentially, the next step under Operation Clean Water is to continue consultations. We have held consultations in Peterborough, Thunder Bay and Guelph. The last one will be held in Toronto this evening.

Mr Agostino: On a point of order, Mr Speaker: I don't think we have a quorum. Can we ask to have a count?

Clerk at the Table: A quorum is present, Speaker.

The Acting Speaker (Mr Michael A. Brown): The member for Haldimand-Norfolk-Brant.

Mr Barrett: As I was saying, the reason Minister Newman and I are conducting these consultations is that small waterworks are not covered under the new regulation. Therefore, it's vital that we seek public input about how best to ensure drinking water protection in these small systems. There's a small waterworks discussion paper. This lays out key requirements for such a system and answers frequent concerns raised by owners of bed and breakfasts, gas stations, restaurants in rural areas, and rental cottages. I will mention that the deadline for submissions for this discussion and consultation process is November 15, 2000.

Never in our history has the government of Ontario undertaken such a broad review of the province's drinking water supply. As a regulator of public water systems in Ontario, the provincial government is working closely with owners and operators of waterworks to ensure that the public's health and safety remains a top priority.

Most recently, Environment Minister Newman has announced the formation of the SWAT team as well as legislation introducing the toughest fines and the longest jail terms in all of Canada for major environmental offences. The SWAT team, by the way, is a highly mobile unit. It's there to find companies and individuals that systematically and flagrantly defy the law by engaging in practices that pose a risk to our environment and to our public health.

We have invested in other initiatives aimed at protecting Ontario's water supply. We're providing at least \$240 million in OSTAR funding. I'd point out that OSTAR stands for the Ontario small-town and rural initiative. This money is to help smaller municipalities upgrade their water supply systems and to help pay for sewage treatment projects.

With respect to intensive farming, last winter Dr Doug Galt and I chaired province-wide consultations on nutrient management. As we all are aware, life in rural Ontario has changed significantly over the years, forcing agriculture and agricultural operations to change. In the past there have been some concerns, and in some cases conflicts, between farming and non-farming interests. Our government has made it a priority to find a way to address these concerns and determine balanced solutions that would recognize both the productivity of agriculture and the needs of rural residents and of our rural environment.

In recognition of these trends, ag minister Ernie Hardeman appointed this task force, as I've mentioned. Throughout the months of January and February we travelled the province and consulted with hundreds and hundreds of people in rural Ontario, with the goal of developing legislation to balance agricultural productivity, environmental concerns and rural community needs.

1620

I own a farm, and I stress that no one has the right to pollute, including farmers. No farmer has the right to pollute. Farmers are the best stewards not only of their land but of rural property across this province. Everyone is subject to the Environmental Protection Act and the Ontario Water Resources Act. We have heard from the large Ontario farm organizations that they support this legislation, which would enforce standards for all agricultural operations. Our government has been working with these stakeholders for some time now to limit any negative effects on the environment and any negative or overly stringent impact on their book of business.

As well, we've invested \$6 million in a groundwater monitoring network to help ensure the sustainability of Ontario's water resources, and over the next three years we'll be working with municipalities and conservation authorities to install electronic monitors to measure groundwater levels across Ontario. Some of these ideas have come from a task force that was formed this year, co-chaired by myself and other parliamentary assistants, that's developing a long-term strategy for our water resources. I will mention that our government is providing help to dig retention ponds along Big Creek in my riding of Haldimand-Norfolk-Brant to make sure that water is available for farmers for irrigation during times of low water.

We have accomplished and achieved many things in addition to Operation Clean Water. We are continuing the momentum we have developed in other areas of environmental protection.

I would like to turn my attention to the area of air and air quality. Ontario is a leader in attacking air pollution. We've announced unprecedented initiatives to clean up Ontario's air and to address the issue of global climate change. This year alone, we announced strict air emission limits and mandatory reporting requirements for the electricity sector. A freeze, or a moratorium, has been placed on the sale of all coal-fired generating plants pending an environmental review, and the new Air

Quality Ontario initiative ensures that all Ontarians will have early and improved access to air quality information.

Ontario is developing emissions caps and is developing mandatory reporting requirements for other industrial sectors. As well, emission performance standards are being developed for electricity generators from outside Ontario. Those neighbouring states that may well be selling electricity in this province will have to adhere to the same tough environmental standards that our Ontario producers follow.

I'd like to mention Drive Clean. Drive Clean is well on its way to meeting its goal of reducing smog-causing emissions by 22%. Drive Clean is complemented by the smog patrol. Many of these people are from a former enforcement background. Smog patrol continues to target the most grossly polluting vehicles on our roadways; for example, out-of-province tractor-trailers.

We have kept our promise to strengthen our regulation governing the management of hazardous waste. This strengthening of our rules will ensure that all hazardous wastes, whether generated in the province or generated outside the province of Ontario, are managed in an environmentally sound way.

We've announced a policy review and expert panel on the redevelopment of old industrial lands. This presents a great potential for both cleaning up contaminated sites and spurring economic growth, something this government is all for. An issue I've specifically been involved with is developing approaches to a number of brown-fields in the city of Brantford.

In conclusion, we have set tough rules to protect Ontario's environment and we're committed to backing them up. The vast majority of people and companies in this province do care. They care about our environment and they comply with the rules. Tough penalties will give us a greater ability to deter and punish those who choose to flout these rules and pollute our soil, our air and our water.

We are taking strong and appropriate action to provide the best possible environment today for future generations. I believe the tough penalties we are proposing—for example, a polluting corporation on a subsequent offence will be subject to a maximum fine of \$10 million a day—are part of the best possible environmental protection system for people within our rich province of Ontario. These tougher penalties will help ensure compliance with Ontario's stringent emission limits and mandatory reporting requirements and compliance with hazardous waste rules, as well as with drinking water protection rules, and I'm very proud of these concrete action steps.

We have set ambitious environmental goals and we are taking unprecedented action to achieve them. We are proud of what we have accomplished and we remain committed to ensuring that this momentum continues.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I usually stand in my place and talk about how honoured and privileged I feel to speak to the motion that's before the House for con-

sideration, but I have to say I can't say that today. We are again participating in debate on a closure motion. When I was elected a little over a year ago, I didn't think I would have to spend so much time and fight so hard for the opportunity for the people of Ontario to have some meaningful input into the laws that are made on behalf of the people.

Here we are again, as a Legislative Assembly, considering legislation that's going to stop debate on a very important bill.

Mr Bisson: That's a trend with this government.

Mrs Dombrowsky: My colleague has indicated that it seems to be a trend, and I think it's a very disturbing pattern, that we've seen manifested by this government, that on any substantive bill there are few days of debate. It would seem that once we meet those minimum required hours of debate, we are hit with a motion to close debate. It's really unfortunate, because it would suggest to me that perhaps the government is not especially willing or open to consider some of the very valid points that are raised during debate on these key issues.

I stand in the House when I participate in debate to bring forward perspectives from my riding and from my party to present what our leader, Dalton McGuinty, represents in the Liberal Party. We believe the environment is certainly an important issue, and I believe this caucus has done very well in terms of highlighting some areas of this bill that need some attention—or some areas, period, that need attention—that might be incorporated in the bill that are not there already.

More specifically with regard to Bill 124, and I think I indicated in remarks when I was participating in the debate on Bill 124, any piece of legislation that is going to improve the environment for the people of Ontario, that is going to be punitive to those people, companies and agencies that would not have regard for the well-being of our environment, any piece of legislation that will address that in a serious, meaningful and punitive way, I will support.

I have some concerns, though, that the government would present to the people of Ontario that this piece of legislation is going to solve the problem of polluters in Ontario, because when you look a little more deeply into the issue, there are some facts that come to light that I find really quite disturbing. We as a caucus have done our very best to have the people of Ontario understand that we believe that if you want to determine the priorities of a government or an individual or a country, simply look at how it or he or she chooses to spend their money.

1630

If you look at this government, if you at how it has directed resources to the Ministry of the Environment—perhaps it would be more accurate to say how they have redirected funds away from the Ministry of the Environment—it's most disturbing to understand that since the Tories came into office in the province of Ontario, the budget of the Ministry of the Environment has been slashed by 40%.

Interjection.

Mrs Dombrowsky: It's 60% if you include the capital, 60% if you include what it put toward capital in the environment, and upwards of 1,000 people have been cut from that ministry.

It's really hard for me to understand how the minister very regularly stands in his place and talks about how the government places such priority on the environment, when one very meaningful way to judge that, to gauge that, is, how much money are you spending there? They've made some drastic cuts in terms of the support to that particular ministry.

Following from that, of course if you don't have the dollars, you can't hire the people. We look at those numbers: upwards of 1,000 people. Specifically related to Bill 124, we know there were 141 compliance and enforcement positions cut. Those people who would work for the Ministry of the Environment, who would deal specifically with compliance and enforcement, going out and checking industries and businesses and people who might be polluting the environment, those very people who are hired by the ministry to do that—there are 141 fewer of those people than when Mike Harris took office. It really begs the question, why tougher penalties? Why not more people in place to work to bring more polluters to justice?

You can have the strongest, the most punitive laws in the world on your books, but if you don't follow through and enforce them, it's really pretty meaningless. If you look at the record of the government in that area—it has been brought to light by almost every member of the opposition and the third party who have stood in their place to speak to this issue—there has only been one conviction. That is very disturbing. It really begs the question, why? Surely, knowing that we are the third worst polluter in North America—I'm sure it has come from more than one polluting agent—why has there only been one conviction in this area?

I would say that while the intent of the legislation is perhaps noble and worthy of support, I have serious questions about its enforceability, given the fact that there is nothing within the body of the legislation that's going to address supporting the ministry to allow them to hire more staff.

In his remarks the minister has made reference to a 65- or 66-member SWAT team. First of all, just the straight number 66 is less than half of those people who have been fired out the door at the Ministry of the Environment. What is also important for the people of Ontario to understand is that those are not 66 new positions. Many of those positions are redeployments from other parts of the Ministry of the Environment, a ministry where the people are working so hard and are incredibly taxed. They are doing all that they can, they are pedalling as fast as they can and they still can't keep up. There are lots of examples in the media these days where that can be demonstrated. In fairness to the people at the ministry, I think these are very worthy and noble civil servants offering their very best service to the people of the province, but the reality is there are just not enough of

them, and now here is some more weight to the burden on their shoulders.

Not all 66 are new, and those that might be new are not new to the government, but they're contract positions. So they're contracted for a period of time, perhaps 12 months, 18 months, 24 months, and at the end of the contract, who knows? I've got to think that if the government was really serious about keeping people in place they'd give them a full-time job and say, "It's your job." That's not what they're doing; they're giving them a contract. So at the end of the contract the government, and the employee of course, I suppose, has the option of opting out.

These issues I've touched upon and that other members of this House have touched upon in debate I believe deserve attention by the government. If there were more time allowed in the House for some meaningful discussion about the shortcomings of Bill 124, perhaps the opposition would have the time and the resources to, at the very least, convince the government that there is a need for some significant amendments and an opportunity for the public to participate in a meaningful way on some more intensive debate on Bill 124.

But here we are today. This afternoon we're going to close debate on this and then it will be called for third reading. It's really too bad. When I told the people in my riding that I wanted to run and be their voice, I didn't realize it would be so curtailed in this Legislative Assembly. I thought it was a place where we would come and, in a very open and welcoming way, listen to what the representatives of the people would have to say. But that's not what I'm experiencing. I think it would be interesting to look at the numbers in terms of how many bills before this House have had closure motions or time allocation motions placed along with them. It is sad for me as a legislator that I've had to stand and speak to yet another closure motion.

Mr Jerry J. Ouellette (Oshawa): First of all, I'd like to thank the member for Timmins-James Bay, who should have been speaking now, but I'm sure he still owes me one. We were at an event in Kapuskasing recently and I happened to draw his name, so he's still quite owing. Although I must say, I am surprised that the member is allowed to have his cellphone in the House on his belt and it hasn't been withdrawn. So we do owe him one, but I do appreciate the opportunity to speak on this very important bill today.

As a father, it's very concerning to me to every summer have to watch the UV ratings and put all that goop on my kids. Twenty years from now we're going to find out that all that sunscreen will cause something else. So anything we can do along these lines I very much appreciate, and I think this is one of the strong steps.

But I must admit that there are a number of issues this government has already taken forward and achieved great success with. The anti-smog bill was one that was very interesting to me, and when the bill was first being discussed I had some strong concerns about it. So, as I'm sure most members did, I talked with hundreds—and that

was hundreds—of individuals in my riding about that bill. At that time I only had two individuals in my riding who were actually opposed to the anti-smog bill: Wayne was adamantly opposed to it and the other one really didn't care about it at all. It was good to see. I know the impact of that on society as a whole is very significant, reducing the smog that's polluting our atmosphere and also the environment. I think everybody would agree with that.

There are a number of other things. The member for York South-Weston spoke about future technologies. There are a number of examples I have been working on, as I'm sure other members do in their ridings. It all spurred from when I first met with General Motors—being from Oshawa, I regularly meet with General Motors, both the people on the line and management—and one of the issues of concern was the sulphur content in gasoline. So we did bring a resolution forward to discuss the sulphur content in gasoline. I might add that a couple of months after that the federal government followed our lead here in the province of Ontario and did reduce the sulphur content.

General Motors's premise on this is that they're reaching a point where their vehicles are maximizing the output of contaminants into the environment. Unless they get better quality gas, they can't reduce it any more. The SULEVs, the super low-emission vehicles, and the very low-emission vehicles will require better quality gas in order to produce fewer pollutants. That was one of the reasons we brought forward the sulphur reduction in gasoline, and it was very successful.

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As well, I know that General Motors has been dealing—quite frankly, I think all the major car corporations are very much ready and could be ready to produce completely energy-efficient vehicles out there, with the solar vehicles and the natural gas-powered vehicles and so on. However, the infrastructure in society is not quite ready for that. In other words, if all of a sudden General Motors produced nothing but electric cars, where would people get them fixed? Who has the experience at your local garages? I know that Paul Beatty in my riding does a great job, but where is he going to get the expertise and the equipment to handle all those repairs?

The technological change is slowly coming forward. The new gases that are available—currently in Japan there's a company called GAI Fuels. Essentially it's almost a non-polluting fuel, depending on the base again, whereby the emissions coming out are substantially reduced. We're currently looking at bringing it into the province of Ontario. The big concern was, would it fit into the current vehicles out there? Yes, this new fuel reduces the NO_x chemicals by virtually 50%. What that means to General Motors as an industry is, can it fit in these vehicles? Quite frankly, yes, this new fuel will fit directly in the vehicles, old and new ones, without any modification at all.

Not only that, but a formula currently being developed—as I mentioned, the member for York South-

Weston did mention the need for future technologies. Ontario is planned to be the distribution centre for North America for these. Right now they have a formula that's 90% completed whereby it will use all plastics, including PVC piping and those sorts of things, in a diesel fuel. It is non-polluting, the process by which they turn these plastics back into a petroleum base and utilize it for diesel fuel. This will substantially reduce the amount of pollutants going into the dumpsites and the garbage.

Those are just a couple of the technologies out there. Personally, I've worked on these with the General Motors corporation and have seen the benefit to the future of this province.

As well, some other issues have been brought forward, and I'm personally very concerned. I gave some of the reasons why.

Mr Agostino: On a point of order, Speaker: Do we have a quorum?

The Acting Speaker (Mr Tony Martin): Is there a quorum?

Clerk at the Table: Mr Speaker, a quorum is not present.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Oshawa.

Mr Ouellette: I was speaking about the impact on the environment regarding new technologies and what's taking place. When we speak of fuels, there is always a strong concern about the price of fuels and what is taking place in that area. In Ontario we have a tendency to think of the immediate impact here, but from a world perspective—I mentioned the fact that electric cars are coming forward, that new environmentally friendly fuels are being developed out there that are going to affect the environment. The gas companies, I believe, are seeing this trend coming forward. Because automobiles are the number one consumer of gas, their position would be, "If we don't make our profits now"—I can't remember the company exactly, but I believe the profits from one company went from \$2.4 billion to \$6.2 billion in the same period of time that the gas prices went up.

From a gas company's perspective, if these new technologies come forward and all of a sudden everybody is using electric vehicles, where are they going to sell the gas? More important, where are they going to get the deposits? How much does it take to put a Hibernia on line and how long will that last? So for the future of that industry, I think what we're seeing now is an increase in profits for future development within the gas industry. Once cars stop using gasoline—petroleum-based materials—as their main component for combustion, gas companies are going to be looking for other markets to sell to. If the price didn't come out at this time, 10 years from now when we're looking at new deposits, how much is it going to cost then to do the research and development to find those deposits at that time?

I was also mentioning some of the other initiatives. Personally, I mentioned that my kids have a very strong concern with the environment as well.

One of the other bills I brought forward, which I received support for, was ballast water discharge. Essentially, to protect the environment, that bill would stop ocean-going vessels from coming in and dumping new species. The difficulty with that was that Ontario is a single jurisdiction on the Great Lakes, and all the other jurisdictions would have to have individual legislation. Since then, I know of five US states that are now proceeding with ballast water discharge legislation in the same fashion we have here. As a matter of fact, while that legislation that I brought forward was going on, I was actually asked to present to a US Senate committee on the same piece of legislation because they were very interested.

I think the result of that, very much as the sulphur issue that was brought forward, was that we need a piece of legislation that will take into account all jurisdictions on the Great Lakes. Otherwise a vessel coming into the United States would be able to discharge those foreign species there, which will eventually migrate into Ontario, in the same fashion as the gas and sulphur issue. If Ontario were to pass the sulphur reduction laws, the difficulty is that once a vehicle takes one tank of gas from another jurisdiction where those sulphur levels have not been changed and reduced, the complete environmental system there that reduces the pollutants that come out is completely destroyed and there is no advantage to it at all. So we did need a Canada-wide basis for the reduction in sulphur.

I should also mention the fact, as the PA for the Ministry of Northern Development and Mines, that we see a large number of other areas come forward that are rather unique. I know up in Hearst, for example, the mills used to take all the scraps and shavings from their wood and it would cost them between \$10 and \$20 a tonne to take it to the dump. What they've done now in Hearst is use a cogeneration plant whereby all that waste wood material that used to go to the dump at \$10 and \$20 is now used in a cogeneration plant, in conjunction with natural gas, and produces energy in Hearst. That's a great thing. That's one of the new future technologies, which the member from York South-Weston said wasn't happening, that are taking place and are already in place in Ontario. Those are a number of examples.

I believe that Bill 124, the bill we are debating today, is a bill all members should support. It's going to do great things. I know the increase of the maximum fine for a first conviction for a major offence by an individual from \$100,000 to \$4 million a day, and for subsequent convictions from \$200,000 to \$6 million a day, and for a first conviction for a major offence by a corporation from \$1 million to \$6 million a day, and for subsequent convictions from \$2 million to \$10 million a day, are just perfect examples of some of the very specific things in this legislation that we need to get through to help our environment.

I know that I am to leave time for my seatmate, the member for Brampton Centre, so I will close at this time.
1650

Mr Garfield Dunlop (Simcoe North): It's an honour and a privilege to be speaking here this afternoon in favour of the Toughest Environmental Penalties Act, Bill 124, designed to toughen our environmental laws. I'd like to start off my thanking Minister Newman, the member from Haldimand-Norfolk and the member for Oshawa for their comments and opinions on this bill. I'd like to thank all the members of the opposition for their opinions as well.

With this regulation we're keeping our promise to get tough on polluters. This legislation, if passed, will ensure that Ontario has the toughest fines and jail terms in all of Canada for major polluters. In our election platform, Blueprint, we promised to create a cleaner Ontario, and we're keeping that promise today.

I know that everyone in this House understands the importance of protecting our environment and the importance of legislation to protect it. Our government is firmly committed to safeguarding our environment and ensuring that Ontario's communities are healthy, safe and prosperous. We are just as firmly committed to legislation that helps us achieve these ends.

The Toughest Environment Penalties Act, if passed, will introduce a number of penalties against polluters. Those penalties include the following, and we've heard them a few times but I will repeat them again:

It increases the maximum fine for a first conviction on a major offence for a corporation from \$1 million to \$6 million per day, and for subsequent convictions from \$2 million to \$10 million per day.

It also increases the maximum fine for a first conviction for an individual from \$100,000 to \$4 million per day, and for subsequent convictions from \$200,000 to \$6 million per day.

It increases the maximum jail terms for a person convicted of a major offence from two years to five years.

It increases the cap on administrative penalties from \$5,000 to \$10,000.

As well, the penalty structure in the Ontario Water Resources Act will be amended to ensure that these new tough penalties apply to the most serious offences under the new drinking water protection regulation. The new regulation is part of Operation Clean Water, a comprehensive action plan to give Ontario residents the safest drinking water in Canada.

Over the next three years, the government will invest \$6 million to steer the establishment of a groundwater monitoring network. We will select several hundred monitoring sites in consultation with our partners. I am particularly interested in this program myself. I have an area of my riding called the Oro moraine which is going to be under tremendous pressure for growth in the next few years; in fact, it's under pressure right now. The Oro moraine is a very valuable aquifer; it's part of the Alliston aquifer. A lot of the city of Barrie water comes from this moraine. There's certainly a lot of pressure on

this piece of property for future development, and I'd like to see some monitoring take place on that.

Monitoring will include water quality parameters of concern as well as water levels to give us information on groundwater conditions throughout Ontario.

We have committed to provide at least \$240 million, through the OSTAR program, to help Ontario's smaller towns, cities and rural areas to upgrade their water systems to comply with the new drinking water regulations, and for sewage treatment projects. All small towns, cities and rural areas are eligible to apply to this fund. I don't know how many other members have found this out, but I've been working with most of the municipalities that I represent in the riding, and a few of them are taking the opportunity to upgrade some of their water systems to the new regulations.

I am pleased to have this opportunity to once again tell the honourable members about the SWAT team that was announced at the introduction of this bill. Again, this was a Blueprint commitment.

The vast majority of people and companies in this province care about our environment and comply with the rules. I take note of a company in Simcoe county called Honda Canada. If anyone ever gets an opportunity to visit their plant and see how they handle their waste and their recyclable materials, it's something to see. It's a phenomenal plant, and I wish every company in the word could follow the example of Honda Canada.

The SWAT team is a major component of our four-point action plan to crack down on those who do not care about the environment and deliberately and repeatedly defy our environmental laws. The team is a new group of environmental officers with an innovative approach to identifying new and emerging problems, a group with a mandate to act quickly. The SWAT team, together with the tougher penalties outlined in this bill, will give us greater ability to deter and punish those who choose to operate outside the law, threaten our health and threaten our environment.

The SWAT team will aggressively pursue companies or individuals that deliberately and repeatedly defy the law by engaging in activities that threaten public health and the environment. The SWAT team will complement the Ministry of the Environment's environmental protection activities by focusing all its efforts on inspections and enforcement of specifically targeted sectors.

Existing ministry district staff will continue to handle most of the enforcement needs of this province. Existing district staff will continue to do baseline inspections and respond to pollution reports. To put ministry activities in focus, I want to remind honourable members that existing staff respond to more than 22,000 notifications of spills and potential pollution reports, assist with more than 16,000 certificates of approval and complete about 4,000 inspections on an annual basis.

A more aggressive and targeted team approach is required if we want to better address special problem areas in a strategic way. The SWAT team will enhance our environmental protection goals by targeting areas of

greatest concern: water quality, air issues and hazardous waste management. The SWAT team will be a highly qualified and specialized group. By putting all their efforts into compliance inspections and enforcement activities, the team will be able to focus on specific targets and conduct inspections, enforcements and follow-up activities in a much shorter time frame.

One of the more important aspects of the SWAT team will be mobility. The ministry will be able to quickly deploy the team to swiftly and effectively address immediate threats to our environment. As well, the SWAT team will use innovative approaches and technological support that will provide leading-edge environmental compliance. The field units will be equipped with state-of-the-art communications technology to draw on broader resources without leaving the field.

The team will identify new and emerging trends, and ensure that all necessary actions are taken to protect our environment. The SWAT team will increase the odds that polluters or potential polluters will be caught, and that they will face convictions and pay significant penalties for their actions, including the penalties outlined in this bill, if and when this bill is passed.

We want to continue to build on the increases in the number of charges laid and convictions and fines issued in 1999. The number of charges laid in 1999 was 51% higher than in 1998. Convictions rose by 49% during the same period. All told, there has been a 200% increase in the number of orders issued from the period between 1996 to 1999 to this year. During the same period, the number of tickets issued has increased even more, by 225%. It goes without saying that we want to have the best possible system of environmental protection for Ontario. Compliance and enforcement are the main components of this system. It only makes sense that we take strategic aim at those activities which pose the greatest threat to our health and our environment.

Once again, the SWAT team's strong enforcement presence will also act as a deterrent and encourage compliance with our environmental laws. It may also result in business developing and implementing more innovative technologies to deal with environmental challenges. The SWAT team will level the playing field. Those who defy the law will not benefit at the expense of good corporations and individuals who are in the majority and comply with the laws.

The SWAT team will help the ministry achieve its mandate of environmental protection by effectively and visibly bringing polluters into compliance with Ontario's environmental laws, regulations and standards, and by deterring potential polluters. I repeat: the SWAT team, together with the tougher penalties outlined in this bill, will give us greater ability to deter and punish those who choose to operate outside the law, threaten our health and pollute our environment.

Our government understands that cutting taxes and creating jobs are important to helping provide opportunities for the people of this province. Protecting the

environment is equally important, and we have taken a number of steps to protect our environment.

At this time, with just 11 minutes left and a couple of other speakers, I'd like to say that I hope everyone will support this bill. It's been a pleasure to speak to it this afternoon.

1700

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm certainly pleased to join in the debate with respect to Bill 124, An Act to Amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties.

Certainly this is major environmental legislation for this province. If passed, this bill would give Ontario the toughest fines and longest jail terms in the nation for major environmental offences. The proposed bill would do the following: increase the maximum fine for a first conviction of a major offence for a corporation from \$1 million to \$6 million per day, and for subsequent convictions, from \$2 million to \$10 million per day, and also increase the maximum fine for a first conviction of a major offence for an individual from \$100,000 to \$4 million per day, and for subsequent convictions, from \$200,000 to \$6 million per day. It will also increase the maximum jail term for a person convicted of a major offence from two to five years, and increase the cap on administrative penalties from \$5,000 to \$10,000 per day.

I want to also make very clear that if this bill is passed, officers and directors of companies convicted of an offence under our laws would be subject to the toughest fines and jail terms in Canada for major environmental offences. These are very substantial increases. In one case, that of an individual convicted of a major offence against the environment, the penalty goes from \$100,000 to \$4 million per day, a forty-fold increase.

The proposed penalties I just outlined would apply to offences under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. In addition, the penalty structure in the Ontario Water Resources Act would be amended to ensure that these tough new penalties apply to the most serious offences under the new drinking water protection regulation dealing with failure to report samples that exceed standards and failure to ensure minimum levels of water treatment.

It's obvious that the vast majority of individuals and companies in this province care about the environment and comply with the rules. They care, first, for the sake of the environment and health. They realize that their long-term well-being and that of their children and the generations to follow depend on well-protected air, water and land. The people of this province also realize that a clean environment is the cornerstone of economic growth. They understand the concept of sustainability. Often this belief in sustainability has been made to them because improved environmental performance has reduced the bottom line of their business—and that's the balance we have to achieve in this province—or they have seen what has happened in other jurisdictions where

environmental degradation has gone hand in hand with economic stagnation. For these people—and again they are the vast majority—the penalties we are proposing are great news. They will help level the playing field by taking away the incentive to pollute.

It's difficult to see where that incentive is. It's difficult to see how anyone could put short-sighted economic interest above the interests of the environment and of a healthy, prosperous and safe community. But let's face it: there are those people. They are the people who wilfully, stupidly and arrogantly turn a blind eye to the law and to the health and well-being of their communities. Of course, their behaviour is the very antithesis of good community spirit. It is true that sometimes they have made short-term economic gains by cutting environmental corners. The bill we are debating today is bad news for them. Polluters will not prosper in Ontario.

We are sending a message of deterrence. If you get caught committing an environmental offence, you will face much greater fines. I know this is a goal shared by all members of this House. I urge all colleagues in this Legislature to support an important piece of legislation which is an environmental milestone.

The legislation itself is very clear with the areas that it wants to deal with. It amends the Environmental Protection Act to increase the maximum penalties for the following offences: (1) an offence of contravening the act or the regulations, if the offence results in an adverse effect; (2) an offence in respect of hauled liquid industrial waste or hazardous waste, if the offence may result in an adverse effect; and (3) an offence of failing to comply with a stop order.

The bill amends the Ontario Water Resources Act to increase the maximum penalties for offences that impair the quality of the water of any waters and certain offences that relate to water treatment or distribution systems. The bill also amends section 28 of the act to ensure that it applies to all provisions of the act that relate to offences.

The bill amends the Pesticides Act to increase the maximum penalties for offences that cause an adverse effect.

Certainly the legislation is very broad-reaching.

It also deals with our source of water supply—I want to deal with that specifically—in addition to having already set out tremendous amounts in terms of dollars which would affect polluters in this province in the penalties they will face on each and every conviction.

The act also deals with the Ontario Water Resources Act, as I've indicated, and in particular "water distribution system" has been defined. It "means a part of a water treatment or distribution system that distributes water, if that part of the system includes one or more water works," and "water treatment or distribution system" is defined—

Mr Richard Patten (Ottawa Centre): On a point of order, Speaker: Is a quorum present?

The Acting Speaker: Is there a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Barrie-Simcoe-Bradford.

Mr Tascona: Thank you, Mr Speaker. I'm very pleased to rise again in the House on this particular matter.

I'm going to close and allow one of my colleagues to continue in this debate. But I want to say that certainly the measures taken under this act are an environmental mandate to make Ontario the toughest province for polluters to be in. I think it's worthy of all members' support.

The Acting Speaker: Further debate?

Mr Bisson: In the 10 minutes that I have I want to say a couple of things in regard to this particular bill. First of all, do you realize how many closure motions the government has brought in since coming to power in 1995? They broke all—

Mr Steve Gilchrist (Scarborough East): Not enough.

Mr Bisson: He says "not enough," but they broke all the existing records. This government has brought in more closure motions than any other government at any time in the history of the province of Ontario; this from a Mike Harris party that ran in 1995 on the basis that they were going to open the process of government and make it more democratic. What a farce. This government goes out of its way, when it comes to whatever bills they're bringing forward, to move closure, to limit debate in the House, and more important, Mr Speaker, and you would know this as I do, they limit the opportunity for the public to comment on bills at the committee level. This bill was supposed to allow for committee hearings. As it stands now, the government says, "Oh well, we've changed our mind. It's not important for us to hear from the public through the committee process."

1710

I've got to say that if people out there are cynical of politicians and political parties, it's because of the Tories and parties like Mike Harris's. These guys speak a good line when it comes to democracy, but when it comes to actually showing people where the beef is when it comes to democracy, they're nowhere to be seen. They're going in the opposite direction. That's why, as a New Democrat, I believe that one of the things we need to do in this province is revitalize our democratic system. We have to augment ways to allow people to participate in our democratic system so that they can see themselves in it and have respect for the decisions that are made by Parliaments.

There are ways of doing that, which I know we'll get an opportunity to talk about later. I'll only say that one thing is for sure: the British parliamentary system in this province, which is a good system based on many years of tradition, has to be modernized. We have to find a better way to allow people to participate. I would suggest as a member that we should take a look at the possibility of

proportional representation to make sure that any government elected that doesn't clearly have 50% of the vote at the general election doesn't have a clear majority in this House, because that's what's happened over the years. We've got the Mike Harris government, which got elected at 43% of the vote—and they won the election fair and square; that's called democracy—and Bob Rae before that, who got elected on 37%. In both of those cases, and even before that, where we had David Peterson elected in the 40% range, they all ruled under a majority scenario because this antiquated system of democracy we have in this province rewards the party at the end with the most seats and does not reflect what the majority view of the population is.

I argue as a New Democrat that we should be looking at moving toward something like proportional representation to make sure that a party like Mike Harris's, which got 43% of the vote in the last election, would not end up with 60% of the seats in this House and come in and stymie the political process by doing what they're doing today: putting in closure on a bill; limiting the ability of the opposition to debate; limiting, I would argue, the ability of their own backbenchers to debate these bills; and, even worse than that, limiting the ability of the public to take part in the process of being consulted.

It's ironic that the government's parliamentary assistant to, I believe, the Minister of Agriculture, earlier said, "We're going to be consulting. As a matter of fact, on this bill we're going to accept submissions on this bill to a deadline of November 15." They bring closure today, on October 24. Then they come in and tell us, "Oh, we'll be listening till the 15th." What's the point? This government has already decided by way of this closure motion that it doesn't want to hear anything when it comes to what's going to happen with the environment and what's going to happen to this bill.

Sure they talk a good line. Sure this government says, "We're going to have tougher fines because of this bill. Look at us. We're going to be the toughest jurisdiction in North America." What a joke. There were 3,000 people who got caught last year, but there was only one conviction. We've already got the laws. Why don't you guys do something about it—actually go out and follow up on the charges that are laid by the Ministry of the Environment to ensure that those people who are caught end up having to pay the price?

I listened to the government members across the way, and the other parliamentary assistant who said, "Oh well, we don't have to worry in Ontario because we've got the SWAT teams. The SWAT teams are going to be running into the province of Ontario. They're going to be charging everybody under the sun when it comes to the environmental mishaps they've created by their processes of managing issues that end up becoming disasters in the environment. We don't have to worry because this is a really good thing."

Well, the government talked at first about how they were going to hire a hundred people on the SWAT teams.

They've ended up hiring, I think, 55. I have here a cabinet document, a cabinet analysis of the SWAT teams when they were looked at as an idea. It's interesting what it says here because the government was given different options by the bureaucracy within the Ministry of the Environment, and the option that was the least favoured was the particular option called the "low impact team," which "would provide for a small but focused team consisting of approximately 55 new staff (of which 30 would be inspectors, 12 investigators, seven technical staff ... four lawyers and two support staff)." This low impact team would basically be responsible for taking a look at some of the issues and they can go out with their SWAT team to try to find harm being caused by environmental polluters.

What did the government do? They went with the lesser of all options. They could have decided to rehire the 1,000 workers they fired at the Ministry of the Environment, but no. What did they decide to do? They took the option that says "low impact team." It says in the title that they don't have enough people to do anything, even if they chose to do something, when it comes to the Ministry of the Environment.

I say to the government across the way, you speak a good line. Boy, you guys are full of good lines. You guys have got a great communications machine. The problem is, that's all it is. It's baffle-gab; it's discussion; it's another press op for a minister that at the end of the day basically means nothing. This government is speaking a good line when it comes to charging people and fining them and increasing the fines, but if you haven't got the people out in the field, it's a joke.

Imagine, Mr Speaker, if we were to say in Ontario, as we do, "The speed limit on our highways is 100 kilometres an hour"—as posted on Highway 11 or Highway 17, up by your neck of the woods—"but we're going to reduce by two thirds the policemen who are out there patrolling the highways." What do you think would happen? There would be more people speeding, because they know in the end there would be no consequences for their action. That's exactly what is happening in the environment. You have a government that, yes, has legislation in place—because of legislation that exists, even though they've gutted most of it—but we don't have the staff to go out and enforce the legislation. I say that the government speaks a good line, but it's a sham.

Here's the part that really takes the cake. You weren't here earlier, Speaker, because you were dealing with other matters in regard to your constituency. I know you were at another meeting that I wish I could have been at, but unfortunately I had to be here. But you're here now and I know you want to hear this particular stat.

There was a Supreme Court decision some months ago that basically said that if a company is charged with an offence, for example, because of infringing on environmental legislation, and has to pay a fine, they can write the fine off on their income tax at the end of the year. You can do what the heck you want now in Mike Harris's Ontario. You can increase the fine, and guess

who is going to pay? You and me, Mr Speaker, the people out there, the taxpayers that Mike Harris is so proud to defend. It's going to be the taxpayers of Ontario who are going to be the ones footing the bill. At the end of the day, company X goes out and gets a fine of \$1 million under this legislation, and (a) there will be no way to enforce it because there is nobody at the ministry to monitor what's going on, and then there is very little staff to enforce the actual charge and bring it to court, and (b) in the end, if the company is made to pay, guess what? They get to write it off on their income tax at the end of the year. It means that it's the taxpayers in the end who pay. So I say, Mike Harris speaks a good line, but I'll tell you, it's a very poor record when it comes to the effect of this legislation.

I can tell you that this is going to be an issue in the federal election. This weekend I was out canvassing with Len Wood, who is a New Democratic Party candidate in Timmins-James Bay, and I know, when we were knocking at doors around the riding, people were saying that they were tired of the doublespeak of the government when it comes to talking one line and doing the other. I, for one, am going to do everything I can to make sure that Len Wood is elected in the riding of Timmins-James Bay to represent the people of that riding.

The Acting Speaker: Further debate?

Mr Bruce Crozier (Essex): I appreciate the opportunity to speak to this closure motion. As was mentioned by my colleague just previously, it appears as though we're in record mode in this Legislature in that this government likes to bring in closure in record numbers, and what it does, in plain English as we all know, is just simply choke off the rights of members of this Legislature to speak to any issue.

1720

The thing that I believe the government members should take into consideration is, every time they shut down debate it's not just the opposition that you're shutting down; you're losing your own opportunity to speak on an issue. I don't know what your constituents say to you when you don't have the opportunity to speak to an important issue. I know what they say to me. They say, "What's that government doing, just simply choking off debate when we send you down to Toronto and pay you a tidy sum of money to do your job, and this government simply shuts you down?" My constituents can't understand it, and I don't know how these members explain it to their constituents.

For those of us who have a family and who have had children—and we've got our pages here today—it's like when a parent says something to a child in answer to a question, and the child says, "Why, mom?" or dad, and the parent says, "Because I told you so," and that's all they get. That's an example of what we're getting here. We say to the government, "Why can't we debate this important legislation?" because they've stood here for the afternoon and told us how significant it is, how important it is, what it means to the province of Ontario, what it means to our environment. Yet when we ask, "Why are

you shutting the debate down?" and it's, "Because I told you so," that's not much of an answer.

It also reminds me of when you're trying to debate with someone and you get that interjection, "I don't care what you say." You kind of stand back and say, "Well, if you don't care what I say, why did you ask me in the first place?" Again, that's an example of what happens here. Legislation is brought to this House and it's important legislation, I'll agree, and yet what do they say to us when we want to debate it? They say, "I don't care what you say. We're going to shut you folks up."

But I remind you, at the same time you're shutting the mouths and the democratic right that your own members have. I don't think that we want to do that on this side of the House, and I'm surprised that government wants to do it on that side, because if we've learned anything from Walkerton, I think what we've learned is that we have to take time to make sure that things are right, and that's what debate in the Legislature is.

Often bills come forward where we agree with the intent of the bill. Few of us, if any, will argue that any legislation that is on the good side of the environment in this province we're all in favour of. Will we be totally in favour of how it's done or what's in it, or should something be added to it? That's what this forum is for. That's why we send it to committee, and that's why we take it to the public for public meetings.

In this case, not only are they shutting us off, not only are they choking off our debate, but they're not even going to let the public have any input. Can you believe that? I don't think you can, and I think most would agree with me that the very least this government can do with an important piece of legislation is take it out to the public. Let the public have some input, because part of what I think the public would want to remind the government is that you can have all the fines, you can increase fines to the heavens; it means absolutely nothing unless they're enforced.

I would reinforce what some of my colleagues have said: there were some 3,000 events in the past year where the Ministry of the Environment felt that there was a contravention of the current act, and we end up with one conviction. Fines aren't going to scare anybody if that's the conviction rate you have, and part of the reason that the conviction rate is so low is that you've gutted the Ministry of the Environment. You don't have any police out there. What these police should do is be available to look into every event and do the right inspection, so that when the government decides that they should charge someone, you have the evidence to take it all the way. If you don't have the staff to put the evidence together, you're not going to have any more success than they've had in the last year.

Why has it been so difficult? I'd like to summarize for you. There have been huge cuts to the Ministry of the Environment: 880 jobs, 36% of all staff have been laid off; 42% of the budget slashed; and they've been left without the resources to even enforce the act that they have today. How are they ever going to be able to enforce a new act, one that they say has more teeth?

You know, folks, the new act isn't worth the paper that I have in my hand unless you do something with it. We all know that all legislation does, all laws do, is lay in binders until somebody decides they should be enacted. I'm afraid this government is going to continue to not have the resources they should have in order to enforce these laws.

I think, to some extent, the public has lost faith in the government's ability to clean up its drinking water. We've had the tragic example of Walkerton as being the most obvious horrific story that could ever come under our current laws. After Walkerton, and when we were more aware of what was going on, we even had boil-water orders in my riding, and we don't take well water down our way for supplying municipal systems; it comes from the lake. So it isn't only groundwater that we have to be concerned about, I guess, although fortunately it was found in our case that when the water left the filtration plant it was good, clean drinking water. The event occurred somewhere else in the system.

But the example I'm trying to point out is that when we become more alert we then take more action, and that's what I hope this government is going to do, although they haven't given me any confidence to this point. I think there are many in the province of Ontario who agree with me.

I don't have much confidence in this government taking the legislation that we're talking about today in this closure motion and doing anything with it. I use the phrase that my colleague from Chatham-Kent Essex said one time—I believe it was to the Minister of Agriculture, and it applies here—that what's happening with this government is that they're starting the spreader before it's out of the barn. We're going to want to see, once they get out of the barn, if they really walk the walk and talk the talk.

Mr Bradley: I find it most unfortunate that I have to rise to speak on yet another closure motion, a time allocation motion which chokes off or ends debate on a very important piece of legislation. This happens time after time after time with this government, and that is most unfortunate because I think a lot of people out there who watch are not aware of just how this government has affected the democratic system in this province in adverse ways; certainly one of them is the constant limiting of debate in this House on important pieces of legislation.

Frankly, when there's a piece of legislation which is non-contentious, you tend to find the debate to be rather short and to the point and the bill passes. When there's important legislation, I think it's important that we have a lengthy and thorough debate canvassing all of the issues.

If you put it in a nutshell, with this government and the legislation before us, there aren't many people I can find in the province who are going to object to increasing the fines and penalties for those who violate the laws of this province. I can't think of any reasonable person, except a person who was going to break the law, who would be opposed to that.

I think what people who are objective observers are saying is that this government has no intention of enforcing those laws. If it had that intention, I think they'd be much more enthusiastic.

You have to remember that the government did two things when it came into office and has maintained that operation. First of all, it made drastic cuts to the budget of the Ministry of the Environment and drastic cuts to the budget of the Ministry of Natural Resources. About 45% of the budget of the Ministry of the Environment has been cut, and one third of the people have been fired out the door and are no longer with the ministry. In the Ministry of Natural Resources, I think about 50% of their staff has gone. The conservation authorities were virtually annihilated with cuts by the provincial government. These are all branches of the public sector which had a significant role to play, first of all in preventing the contamination and pollution of our air and water and soil and, second, they had the responsibility for investigations and prosecutions taking place.

1730

That's the first thing we look at: taking away the necessary staff. Certainly the Canadian Institute for Environmental Law and Policy, in its report that was put out earlier this week, indicated that. I remember one of the officials saying that this government is all bluster, that indeed they are all sizzle and no steak when it comes to enforcing the laws of the province. That's our concern, that the enforcement activities will be limited. There is evidence of that.

We have to know that one of the first things said to Ministry of the Environment officials across the province was, "You are to be business-friendly." They can translate that very easily. They were told by previous governments that they were to aggressively, thoroughly, comprehensively, fairly and toughly apply the laws of this province. It's a big change when somebody comes along and says, "You are to be business-friendly." The same crowd who told them to be business-friendly promised their polluter friends that they would get the Ministry of the Environment "out of your face." That was the quote: "Don't worry, we'll get the Ministry of the Environment out of your face." Indeed, that's a promise they have kept. The Ministry of the Environment has been out of the face of the polluters, not because of ministry officials and employees but because of the direction of the government.

The previous speakers, particularly the member for Essex, made reference to a report that was put out by the Sierra Legal Defence Fund which said there had been 3,500 violations of the water pollution laws of this province through program approvals. That's where the provincial government nods and winks and turns its head the other way as people violate laws. There has only been one prosecution under that provision dealing with water in this province. That's an abysmal record. We're going to see an increase now. After the tragedy of Walkerton we're going to see some prosecutions, we're going to see some activity, because the government has been embar-

assed into it, not because they want to but because of the adverse publicity out there.

We have to know as well that there is a provision—other speakers and I made reference to this earlier—for the major polluting companies to write off their fines with their income tax. In other words, if they get a fine of \$1 million—and presumably they made a profit of \$1 million—they can write off that fine. So in fact the taxpayers of this province end up paying the fine of the polluter.

There is a provincial remedy for that. The member for Toronto-Danforth indicated to us she had a bill, which I'm sure had been vetted through the people at the Ontario Legislature here, the legal staff who look at it, which would disallow that. I urge the government, as a companion piece of legislation, to remove the provision which allows polluters to write off their fines so that all of us end up paying those fines when they're in violation of our laws.

We know as well that the morale within the Ministry of the Environment has not been particularly high. Our friend Bill Murdoch, when making reference to ministry employees and some problems they felt had happened in Grey county and Bruce county, said, "They fired the wrong ones. They should fire the other ones." You don't know how that affects people out there who are daily doing their job as well as possible, within the confines of the restricted budgets and diminished staff, and told to be business-friendly; how those people are supposed to do their job. Then they have a member of the Legislature say, "They fired the wrong ones. They should have fired different ones, the ones who are there today."

That's disheartening when you are committed to protecting the environment. We have had, over the years, so many top-notch people who have been employees of the Ministry of the Environment, the Ministry of Natural Resources and conservation authorities, who had a commitment to protecting and cleaning up the environment and preventing pollution, who feel, I think, rather hurt by the kind of criticism that's been directed to them by members of the government itself and certainly by the enemies of the environment.

I look at the laws as they write them. You will recall, because you've been here a while, Mr Speaker, the issue of CFCs, chlorofluorocarbons. They are substances which, when released, go up into the atmosphere and erode the ozone layer. The ozone layer up top up there protects us from radiation—radiation which can cause various forms of skin cancer. It can be difficult for crops, for our water, for all kinds of life. We know that there's a hole in the ozone layer and a significant contributor to that are CFCs.

So I was very concerned when I asked the minister a question the other day because another report had come in from the Canadian Institute for Environmental Law and Policy saying there's a provision out there for extending the use of ozone-depleting chlorofluorocarbons. It was all done quietly, no announcement of that, I can tell you—done behind closed doors. You put it on a Web

site somewhere and hope nobody looks at it and away we go.

So when you see the government taking those kinds of steps, or not implementing steps quickly, you're a bit suspicious that this bill is all public relations and not much substance.

Another example of that is the hazardous waste regulations. I recall going to Hamilton and listening to a former Minister of the Environment, Mr Clement, with a lot of fanfare, making an announcement about new regulations related to hazardous waste. I thought I'd missed something, that they'd been implemented, because it seemed to me it was back in February he was talking about them.

A lot of fanfare, as I say, a big press conference, and I've asked people, did I miss something? Surely they're implemented now. Surely they're in place. And everybody says they're not in place. They haven't been approved yet. They have not passed cabinet. And here we are approaching November. I can't believe that to be the case. Is somebody in cabinet blocking them? Surely the minister would want these through. I hope nobody in the Premier's office, or those who want to be Premier some day, are not using their authority to block these provisions.

I found very interesting a document here—

Hon Chris Hodgson (Chair of the Management Board of Cabinet): What was the name of that lottery? Greensweeps?

Mr Bradley: Well, I say to the minister who intervenes, he's destroyed more lives—or his government; I don't want to accuse him personally—through the expansion of gambling opportunities in this province than anybody I can think of, through the expansion of gambling into casinos and into charity casinos through the back door, into racetracks. Daily I get people phoning my office. It's pretty sad—I don't repeat them because they're private and they don't want their families to know—embezzling hundreds of thousands of dollars so they can go down and blow it at the racetrack on the slot machines.

Anyway, I digress, as we say. It was only because I was provoked by the member from Victoria that I did so—Victoria and environs.

There's a cabinet document called A Cleaner Ontario: Toughest Penalties Legislation, Environmental SWAT Teams, and it's March 14, 2000. Now you remember when this was raised in the House. The Premier called it a phony baloney document, and yet it was accurate. The Premier then would be doing an impersonation of Pinocchio if he did that, if he were to say it was phony baloney when he knew that it was.

But let me quote from it. Some members of the cabinet will be interested in this. Here's parts of what the cabinet document says, to show you how much is public relations and how much is substance. It says, "There is a growing public perception that the government is not protecting the air, water and land. Public surveys have consistently shown that the public equates the health of

the environment with their own health. Based on an Angus Reid poll"—that's obviously how the government governs—"from August 1999, '60% of the Ontario public rates the government's performance for environmental protection as fairly poor or very poor. Consequently, 60% agree that the Ontario government should take serious action'" against the polluter. I agree with that poll. If they had phoned me, I would have said that. But they didn't phone me on this one.

1740

It goes on to say: "The inconsistency between public perception and demonstrated environmental improvements is partly the result of a perception that Ontario is not enforcing its environmental laws. This perception is reinforced by the release of reports such as Environment Canada's National Pollutant Release Inventory and the NAFTA Commission for Environmental Co-operation's Taking Stock report, the latter which rates Ontario as the second worst polluting jurisdiction in all of North America."

It goes on to say, and this is interesting: "Less than 10% of sources of pollution in the province (those most likely to cause health or environmental problems) are inspected in any one year." You must be shocked to hear that. "The capacity for inspection and investigation activities needs to be increased and the compliance and enforcement approach needs to be toughened so that the ministry can effectively and visibly deter those who choose to operate outside of the law and threaten public health and our air, land and water."

It goes on to say—this is typical of what this government's been doing; this is a secret government document. "Historically, the ministry approach of working co-operatively with industry to develop workable solutions to reduce their pollutant releases has been only moderately successful. The existing low inspection rate referred to above, allows numerous industries the opportunity to break the law." There is it, right in the government document.

They go on to say, "The Ministry is currently drafting an administrative monetary penalty regulation which will form the basis of consultation in early spring 2000." I'd be interested in seeing how that affects things. I have a suspicion that makes things weaker. They've taken out something in a previous bill that weakens this legislation. If we had hearings, I would know. I could ask the experts.

It says the following in the document: "The citizens of the province have voiced their dissatisfaction with the current environmental situation and want to see stricter enforcement and better environmental protection." So they have some options.

It says right in this document: "Existing MOE inspectors and investigators are fully committed to their current work plan activities. Through these activities approximately 10% of current known sources of pollution are inspected annually. Taking staff away from these activities would result in slippages which would negate

the positive impacts of the new program. Therefore new staffing will be required for this new program.

"The option of increasing the existing staff, using the existing structure and delivery approach, to get to a level where all sources of pollution are inspected annually would require in excess of 500 new staff." That's the 500 people they fired out the door. They say they need them back to do the job properly.

Then they said, "Well, let's have a SWAT team. That's a good public relations exercise." They had a choice. They could have one that had 55 members or one that had 138 members. They chose one that had 65 members. It was much ado about nothing when the press conference was held. Let's look at why they chose this option, for any reason. They said, "There is a need to increase the potential for polluters of being caught. Our review of the option of increasing the existing staff, using the existing approach is estimated to require in excess of 500 new staff...." They chose 65 staff. Some people tell me they're only there for 18 months, and then they could be out the door sometime.

There are other things of concern in here. The communications message. Remember they hired Paul Rhodes, the guru who's made hundreds of thousands of dollars from this government in public relations payouts. They hired him to make the minister look good. It says, "Communications Goals and Messages:

"To achieve widespread and positive media coverage.

"To announce each initiative separately to extend positive coverage over several weeks/months and to ensure each receives full attention.

"Ensure that, in both the short and long term, the public is aware of how these initiatives are contributing to a cleaner Ontario."

It says, "Environmental groups may be critical of the government's intentions and claim that current budget constraints make it difficult for MOE staff to deliver on the present enforcement mandate and that an increase in fines and jail terms is merely window-dressing." They've certainly come to that conclusion. Then they go through and look at the possible responses.

Here's what I like. This is what this legislation is all about. The reason I'll support it is that I think subsequent governments may actually take it seriously and implement it. I don't think this government has much intention of doing so, because on page 18 of the document, this government secret cabinet document leaked to the public, to the opposition, under "Media" it says, "Media will likely scrutinize the ministry efforts to improve enforcement. The picture of a uniformed SWAT team will appeal to the media. A major event when the team is in place and ready to proceed is recommended." That's what it's all about: a big show. That's Paul Rhodes. "Province-wide news releases and support material for all" of these initiatives.

Here's another provision of it, on page 19 of 28, again showing that it's all about public relations, it's all bluster and bluff and it's not substance: "Staging SWAT photo opportunities, encouraging feature stories on the team's

enforcement efforts with targeted sectors, and issuing periodic news releases at the onset, during and following special investigations will ensure that public awareness of SWAT team, its achievements and activities remains high." So "staging SWAT photo opportunities" is what it's all about. It's your own document. It isn't something somebody made up. I know the Premier said this is a phony-baloney document, but of course now he's had to accept the fact that it isn't.

Here's something key on page 28: Ministry of the Environment "work with the Premier's office and cabinet office, and consult with other affected ministries on the communications strategy and on the timing and location of announcements." That's Guy Giorno. That's Guy Giorno, that's Paul Rhodes, that's the whole team that will be there for the public relations exercise.

But it is the view of objective observers, not just the opposition, because as members opposite would know, the opposition is not an objective observer; we're a subjective observer—any objective observer recognizes that the government has no intention of being serious, that it's only going through an exercise, that it wants to get a lot of publicity.

Hon Frank Klees (Minister without Portfolio): Don't be cynical.

Mr Bradley: The member for Oak Ridges says, "Don't be cynical." I want to tell him there is a value to this legislation, and that value is, if it's on the books, that a subsequent government that has a genuine commitment to the environment will actually use the provisions of this legislation. I think that's where it can be helpful.

I don't have time to quote the Environmental Commissioner or extensively from this latest document. I commend it to people. I think it's on a Web site somewhere. It's the Canadian Institute for Environmental Law and Policy's Ontario's Environment and the Common Sense Revolution: A Fifth Year Report, executive summary. I recommend that to the people of Ontario.

Mr Gilchrist: There are just a couple of minutes remaining, but I wanted to get on the record a couple of thoughts. We've certainly heard some very interesting comments from the members opposite, very little about the bill before us, but that's not surprising.

I was glad to hear from the member for Timmins-James Bay that they believe in recycling and they've found a new home for Len Wood. Most of his speech was preoccupied with the idea of proportional representation. I suspect that if we were really to get fair in this chamber, you might not like the result, Mr Bisson, because, roughly speaking, you have nine members and we have 58, but you get one third of the speaking time. Where's the fairness there to all the voters who elect Tory members? How about the budget you get from the Legislative Assembly? Roughly \$2 million. This is the kind of story you don't like telling—\$2 million allocated for nine members. That's \$210,000 per member. What do the Tories get? About \$2.8 million divided by 58 members, or roughly \$41,000. So every time you cry poor, every time you try and get the sympathy vote across

Ontario, make sure that the voters out there know that you're paid over five times as much money for research and other staff. That, sir, should be changed too, if you want true proportional representation in here. I'd vote for any bill that trims you back to the appropriate amount of speaking time and the appropriate budget.

Applause.

Mr Gilchrist: I see we have strong support from the official opposition.

The time allocation motion is necessary again, because as debate goes around and around on this bill as with so many others, we have nothing but rhetoric to show for it. We don't hear substantive, productive and positive suggestions from the opposition; we hear rants. We hear all the things they think are wrong with the bill, but never a suggestion that any clause in any act actually moves forward.

The idea of tougher penalties is long overdue. That's why I'm supporting this bill.

The Acting Speaker: Mr Newman has moved government notice of motion number 67. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1751 to 1801.

The Acting Speaker: We are voting on government notice of motion number 67 moved by Mr Newman. All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Arnett, Ted	Hardeman, Ernie	O'Toole, John
Baird, John R.	Harris, Michael D.	Ouellette, Jerry J.

Barrett, Toby
Chudleigh, Ted
Clark, Brad
Clement, Tony
Coburn, Brian
DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.

Hastings, John
Hodgson, Chris
Hudak, Tim
Johnson, Bert
Kells, Morley
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan

Runciman, Robert W.
Sampson, Rob
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tsubouchi, David H.
Turnbull, David
Wettauer, Wayne
Witmer, Elizabeth
Wood, Bob
Young, David

The Acting Speaker: All those opposed will rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Conway, Sean G.	Kwinter, Monte
Bartolucci, Rick	Crozier, Bruce	Lalonde, Jean-Marc
Bisson, Gilles	Curling, Alvin	Lankin, Frances
Bountrogianni, Marie	Di Cocco, Caroline	Levac, David
Boyer, Claudette	Dombrowsky, Leona	McLeod, Lyn
Bradley, James J.	Duncan, Dwight	Patten, Richard
Brown, Michael A.	Gerretsen, John	Peters, Steve
Bryant, Michael	Gravelle, Michael	Ramsay, David
Caplan, David	Hoy, Pat	Smitherman, George
Churley, Marilyn	Kennedy, Gerard	
Cleary, John C.	Kormos, Peter	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 31.

The Acting Speaker: I declare the motion carried.

This House stands adjourned until 6:45 of the clock this evening.

The House adjourned at 1804.

Evening meeting reported in volume B.

ERRATUM

No.	Page	Column	Line(s)	Should read:
93A	4895	2	51	provision does not state that the member has a right to speak

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	Bountrogianni, Marie (L)
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Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
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Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Kenora-Rainy River	Wettlaufer, Wayne (PC)
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Beaubien, Marcel (PC)
Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Tourism / ministre du Tourisme	Kitchener-Waterloo	Sterling, Hon / L'hon Norman W. (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Cambridge	Martiniuk, Gerry (PC)		Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Davenport	Ruprecht, Tony (L)	Lanark- Carleton	Wood, Bob (PC)
Don Valley East / -Est	Caplan, David (L)		Mazzilli, Frank (PC)
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports	Leeds-Grenville	Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)		Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Durham	O'Toole, John R. (PC)	London North Centre / London-Centre-Nord	DeFaria, Carl (PC)
Eglinton-Lawrence	Colle, Mike (L)		Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Elgin-Middlesex-London	Peters, Steve (L)	London West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	London-Fanshawe	
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Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)	Mississauga East / -Est	
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Mississauga South / -Sud	
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Mississauga West / -Ouest	
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		
Hamilton East / -Est	Agostino, Dominic (L)		

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Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
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Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
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Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Document
Révisé

No. 94B



N° 94B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 24 October 2000

Mardi 24 octobre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 24 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 24 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

VICTIMS' BILL OF RIGHTS AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA CHARTE DES DROITS DES VICTIMES D'ACTES CRIMINELS

Mr Klees moved second reading of the following bill:

Bill 114, An Act to amend the Victims' Bill of Rights, 1995 / *Projet de loi 114, Loi modifiant la Charte de 1995 des droits des victimes d'actes criminels.*

The Acting Speaker (Mr Michael A. Brown):
Debate?

Hon Frank Klees (Minister without Portfolio):

Today, I proceed with the second reading of the Victims' Bill of Rights Amendment Act. I will be sharing my available time with my colleagues the member for Barrie-Simcoe-Bradford, the member for Northumberland, I believe, and, with the agreement of the House, there may be one or two other speakers on this bill. I'm sure the Speaker and members of the Legislature will accommodate us.

Our government stands firmly and solidly on the side of victims of crime. We believe that victims of crime deserve justice. We believe that victims of crime deserve to have their voices heard. We also believe that victims deserve services and programs to help them heal.

When we came to office five years ago, sadly, at that time, victims were often victimized twice, first by the accused, and then, second, by a justice system that did not recognize or respond to their personal needs. I'm glad to say tonight that our government changed that.

Early in our mandate we made a commitment to take a leadership role in protecting victims' rights and to improve the treatment of victims of crime within the context of our justice system. We began with the historic Victims' Bill of Rights, which was entrenched in 1996. The bill was an important step in acknowledging and responding to the needs of victims of crime. It sets out the basic principles that apply to the treatment of victims of crime within our justice system.

The Victim's Bill of Rights includes principles such as the following: first, that victims should be treated with courtesy, compassion and respect for their personal dig-

nity and privacy by the justice system officials; second, that victims should have access to information about services, provisions in legislation to help them, protections available to them, the progress of investigations and criminal justice proceedings, and the right to make a victim impact statement in our court system.

Making sure that these principles are respected is a cornerstone of our commitment to victims in this province.

Bill 114 is our government's latest step to ensure that victims get the services and programs they need and so much deserve. This legislation, if passed, would permanently establish the Office for Victims of Crime. The office would play a pivotal role in advocating on behalf of victims. It would provide advice to the government on a number of key areas. I'll just enumerate some of those:

It would provide government advice in ways to ensure that the principles set out in the Victims' Bill of Rights are in fact respected.

The government would receive advice on legislation, policy and practices relevant to victims of crime.

This agency would have the lead on the development of provincial standards for victims' services.

We would also look to this office for the use of the victims' justice fund.

If the bill is passed, the Attorney General will be assigning the new agency special tasks that would reinforce its bonds with victims and help the office to provide advice that is consistent with the current views and needs of victims of crime.

Now, some may ask, why is this legislation needed? Why is it necessary for us to put this legislation in place at this time? The creation of a permanent Office for Victims of Crime keeps our government's Blueprint promise to create such an agency. It also fulfills our budget commitment of \$1 million to support this office. If passed, it would mean that victims of crime have an even stronger voice in this province.

A permanent Office for Victims of Crime would give victims the necessary and visible representation to government that they need. It would mean that victims would have a permanent organization that is theirs and theirs alone, an organization that exists specifically to listen to their concerns and to take those concerns directly to government.

The Office for Victims of Crime would have a unique role in talking with victims and making proposals to government. The advice provided by the office would contribute to decisions that would improve access to

services for victims. It would help to ensure that programs are distributed appropriately and help to ensure that all victims have access to services in all parts of the province.

1850

Victims need to be assured that their needs and their rights are important. They need to be assured that they have a voice and they need to be assured that their voice will be heard. The proposed permanent Office for Victims of Crime would be the tangible reassurance that the services victims need are provided in this province.

I'm pleased to be able to participate in this important debate. We as a government certainly believe that it is timely, that it is necessary, and we trust that all members of this House will support this important piece of legislation.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):

I'm pleased to join in the debate. I just want to advise that I'll be sharing my time with the members from Brampton Centre and Northumberland.

This government stands firmly on the side of victims of crime. Our government promised that we would support victims of crime and change the way they are treated in the criminal justice system. During the past five years, we have kept our promise to give victims of crime the support and services they need. Once again, we are moving forward on this commitment through Bill 114.

Bill 114, the Victims' Bill of Rights Amendment Act, 2000, would be another important step to protect victims' rights and ensure that they have access to services across the province. It builds on the actions we have already taken to support victims of crime. As part of our promise to help victims, we are doing the following:

We have doubled the number of victim/witness assistance program sites from 13 to 26 across the province. This program prepares victims of crime and gives them the emotional support they need as they move through the various stages of a criminal case. While we have already expanded this program, we know there is more to do. That is why we have made a commitment to further increase the number of program sites by as much as 50%. We have already expanded the victims' crisis assistance and referral program, and we intend to further expand this program by as much as 50% from the current 26 sites. VCARS provides immediate comfort and support to victims of violence.

We created the domestic violence court program. We have already doubled the program, from 8 to 16 sites. We intend to further expand the program so that there will be more sites across the province. Ontario's domestic violence court program is now the most comprehensive of its kind in Canada, and it will continue to grow.

We created the SupportLink initiative to provide emergency wireless phone support to victims of domestic violence, sexual assault and stalking. We provide funding for 33 sexual assault rape crisis centres across the province. These centres provide support, education, information and referral services to victims. We hired 59 additional crown attorneys to prepare and interview

victims of crime and witnesses of crime so the justice system can hear their voices.

We have more than doubled the supervised access program, from 14 to 36 sites throughout the province. We intend to further expand this program, which provides safe settings for visits and exchanges between children and non-custodial parents or other adults involved in custody or access matters.

We have created 15 new child-friendly courts to provide special court and support services for children who are victims of abuse or are witnesses to abuse.

To further fulfill our commitment to support victims, we have also allocated additional funding for new and existing programs. Approximately \$135 million will be spent this year on programs and services to protect women and children from violence: under the violence against women program in the year 2000-01, \$51 million for emergency shelters and related services, \$21 million for counselling, \$5 million for—

Mr David Christopherson (Hamilton West): On a point of order, Mr Speaker: As riveting as this speech is, I do not believe we have a quorum in the House.

The Acting Speaker: Is there a quorum?

Clerk at the Table (Ms Lisa Freedman): A quorum is not present.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Barrie-Simcoe-Bradford.

Mr Tascona: As I was saying—I'll just bring it back into focus—under the violence against women program in the year 2000-01, \$51 million will be for emergency shelters and related services; \$21 million for counselling, \$5 million for early intervention for child witnesses of domestic violence, \$5 million to establish a transitional support program for abused women and children.

We have also announced the \$50-million victims' justice action plan, which will do the following: (1) expand victims' justice services, (2) improve province-wide access, and (3) improve the coordination of victims' services.

We have provided an additional \$500,000 to cover streamlined applications for emergency legal advice.

We are spending \$10 million to expand the domestic violence court program I mentioned earlier.

We are proud of our accomplishments to date, but we recognize that there is still more work to be done. Victims need access to high-quality services and support, regardless of where they live in this province. They need to be able to obtain information about these services. They need to know that their rights as victims are recognized and protected. Victims need a permanent Office for Victims of Crime.

That office would liaise with victims and advise the government on the following: (1) ways to ensure that the principles set out in the Victims' Bill of Rights are respected by consulting and liaising with victims; (2) provincial standards for the delivery of services to victims by

preparing options and a plan to develop and maintain these standards; (3) the use of the victims' justice fund by identifying community priorities for funding; (4) research and education on victimization and its prevention by establishing a resource centre and on-line library; (5) the delivery of training for victims' service providers and justice officials; and finally, (6) legislative and policy issues relevant to victims and the prevention of victimization.

That's why I urge members to support this bill. I'm proud to say that on Tuesday, November 7, I'll be participating once again in the fundraising basketball game at Eastview Secondary School, raising money for the Barrie Victims Crisis Assistance Referral Service. I'll be out there doing my bit in terms of what I think is vital to bringing public awareness and raising funds for victims of crime, and government victims' initiatives are part of this program.

I'll turn my time over to the member for Brampton Centre, who I know will speak very eloquently on this matter.

1900

Mr Joseph Spina (Brampton Centre): My colleague from Simcoe Centre—

Mr Tascona: Barrie-Simcoe-Bradford.

Mr Spina: Simcoe-Barrie-Bradford.

Mr Tascona: Barrie-Simcoe-Bradford.

Mr Spina: Barrie-Simcoe-Bradford. Thank you. That's almost as bad as Bramalea-Gore-Malton-Springdale.

I'd like to expand a bit on some of the initiatives that my colleague spoke about. Giving victims a voice and taking the leadership role to support victims of crime are of paramount importance to all of us, not just government members but members of all political stripes. I think we all recognize our responsibility as members of government to assist victims of crime. That's why, during the past five years through several ministries, we've taken action to support victims of crime and try to respond to their needs.

In the Ministry of the Attorney General, for example, we've tried to help victims of domestic violence. We've created the most comprehensive domestic violence court program. As my colleague indicated, an additional \$10 million would be spent to expand that program and to provide emotional support and prepare victims as they deal with the criminal justice system. We expanded the victim/witness assistance program, and frankly we plan to do a lot more.

We want to help ensure that the voices of victims are heard as they go through the justice system. Fifty-nine additional crown attorneys were hired to interview and prepare victims and witnesses. Also, to help families in crisis, we expanded the supervised access program. Also, to help victims of crime, wherever they are in our province, get the services and support they need, \$50 million, as my colleague mentioned, will be spent through the victims justice action plan to further expand those services for the victims. An additional half a million was

provided to cover streamlined applications for emergency legal aid advice, and the number of hours of legal aid was doubled particularly to assist abused women seeking restraining orders.

Work is underway and further funds have been allocated in other ministries to help these victims of crime. In the Ministry of Community and Social Services, we've allocated \$51 million in 2000-01 for emergency shelters and related services under VAW, that is, the violence against women program.

We've also allocated \$10 million in annualized funding specifically designed to help children who have witnessed domestic violence and to establish a transitional support program. This is particularly difficult. I know our Liberal colleague from Hamilton Mountain is a psychologist and that this is an area of particular interest to her, because she, in her profession before she got elected, and perhaps still, was involved in counselling children who have been in a domestic violence situation. It's important that funding be available for these kinds of services to be provided for children in this environment. Twenty-one million dollars has been allocated to more than 100 counselling programs for both women and their children over this next fiscal year 2000-01.

In another justice ministry, the Ministry of the Solicitor General, they have allocated \$10 million annually for the expansion of their services, including community-based programs such as the victims' crisis assistance and referral service and SupportLink, and to make services more flexible to try and meet the needs of northern communities.

As someone who was born and raised in northern Ontario, Speaker—I know you're from there as well, representing the area of Algoma-Manitoulin, and our other colleague from Sudbury. It's a critical need that has to be met there. Not only does it have perhaps the same proportion of domestic violence incurred in other parts of the province, but the difficulty is the ability to provide referral services, such as SupportLink and crisis assistance, in a timely manner when you're dealing with such vast distances. If you're in a small rural community in northern Ontario, sometimes the closest link may be as far away as 200, 300 or 400 kilometres.

We're happy that the Solicitor General is allocating \$10 million annually for some of the community-based programs, but also for the interlinks that would allow officials at different levels to access those links on behalf of victims.

The Ministry of Municipal Affairs and Housing has committed \$50 million in rent supplements to help house up to 10,000 families and individuals. We know the difficulty with putting up social housing facilities, the expense they have been. The fundamental difference, I guess the shift in our philosophy of government, is in not investing so much in the bricks and mortar of social housing but rather into assistance to individuals, to help subsidize up to 10,000 families with rent assistance so they can integrate into the society and be in the regular, nice, everyday neighbourhood that we perhaps have

become accustomed to being comfortable in. It's important for an individual who is a victim of domestic violence, for example, to be able to access a place to go, a place to be that doesn't feel as if they've been shuttered off in a ghetto. That's not what we want. We want the opportunity for people to live in a reasonably comfortable and safe environment.

These are a few of the actions that demonstrate our government's commitment to helping victims. There is a lot more that has to be done. That is why we are proposing a permanent Office for Victims of Crime. It is also why we continue to ask the federal government to live up to its responsibilities to victims of crime. Ontario has repeatedly asked the federal Liberal government to make changes to the Criminal Code that would result in victims being better protected and offenders being held accountable for their crimes.

We look at the whole environment of victims and what happens to them after the incidents take place, but we also have to look at, what happens to those offenders? Do they get off scot-free? Are we able, in some way or other, to make them more accountable for the bad actions they have put on their friends or relatives, their parents, their children, their spouse?

1910

We have requested that bail conditions be toughened by reversing the onus of proof in bail proceedings in domestic violence cases. If that were done, accused individuals would have to show that their release would not endanger the victim. This would go a long way toward making these offenders accountable.

We've also asked that a specific offence be created in the Criminal Code—that's the federal Criminal Code—for violating a restraining order that allows for more timely prosecution of breaches. It would send a clear message that domestic violence is a serious crime. It's often been referred to as the silent crime. We ask often, with regard to domestic violence, why the silence? That's an important question I think we all have to talk about. Why the silence on domestic violence?

There is a number of reasons, and we've spoken to it in the past. Probably the paramount reason for the silence in domestic violence is fear, an abused spouse's fear of repercussion, an abused child's fear of repercussion, an abused elder's fear of repercussion. The abuse can take all kinds of forms, not just physical but many others: financial, verbal and so on.

The reality is that we must get beyond that silent treatment. We have to break that out. We have to allow the opportunity for the victims of these crimes to come forward and be able to access sources of assistance.

The federal government's lack of action is a retreat, an actual outright and reprehensible retreat, from their responsibilities to Canadians. I trust that whoever assumes the reins of power in Ottawa after this next election will clearly make positive moves in this direction. Whatever party becomes the government in Ottawa, we must ensure that we continue to take action to give the people of

this country and the people of Ontario a safe place in which we can live and work and raise a family.

We can talk about how the office will serve the victims. As I said earlier, the creation of the permanent office would ensure that the victims receive the assistance they need.

Interjection.

Mr Spina: The member from Kingston may disagree, but he will more than have his opportunity to make his comments.

The office would be staffed by victims and front-line justice system professionals who are sensitive to the plight of victims. It's important because, as I mentioned earlier, one of the biggest problems with regard to domestic violence is silence and the fear of breaking free of the abuse with which they are being treated. If we allow access and if they can feel more comfortable that the front-line justice system professionals, and perhaps other victims who can empathize with the experience they have had in this environment, who will be sensitive to the plight they personally experience, physically and emotionally—their understanding of these issues will allow them to play a crucial role in providing informed advice, informed assistance and counselling to the victims.

But you know what? These professionals and these victims would also allow the opportunity to provide advice to governments of all stripes so we can improve the situation, so we can make it a better piece of legislation and can make a better environment for these victims.

This may not be the be-all, the end-all and the answer to all the issues, but it is an important first step, an extremely important first step, because victims are unwilling participants in the justice system. It is an experience that has been forced on them because of the criminal actions of other people and has put them into this situation they don't deserve. What victims do deserve is all the support and assistance we can possibly provide.

Our government is proud of the ongoing attention and support we have provided the victims to date. We're not done yet. We're proud of our actions to protect their rights. We are proud that we continue to make the welfare of victims a priority.

We made a commitment to victims' rights, and Bill 114 is one more action we are taking to fulfill this commitment. It sends a clear signal that this government stands solidly on the side of the victims of crime. Victims need to know that they are not alone in their search for justice. Victims need to feel they have something as simple as a voice or someone who is listening to them to whom they can go for help. They need to know that their views are represented by all members of this Legislature and that there is help available. A permanent Office for Victims of Crime would meet those needs.

I'm sharing my time with the member for Northumberland, the honourable Dr Galt. To conclude my comments, I think this is one of the best bills this government could have brought forward. It's unfortunate that we weren't in a position to bring it forward sooner.

Mr John Gerretsen (Kingston and the Islands): All three sections of it.

Mr Spina: There are three sections to this bill that we are bringing forward. Is that what the member is saying?

The important thing is that we are moving forward with this. All of us, in all three parties, have had the opportunity to do this in the past, and I'm pleased that those of the opposition who support the bill will help us in putting it through. As I said, it may not be perfect, it will not be the answer to everything; however, it is an important first step that will go a long way from where we have been to date.

Applause.

Mr Doug Galt (Northumberland): I am pleased to follow my colleagues, particularly the member for Brampton Centre, who just had an excellent presentation, as you could tell from the round of applause here in the Legislature, and also the member for Barrie-Simcoe-Bradford, who speaks often in the House and who really zeroed in on the issues. Between those two, I was convinced; there was no question that I'd support this bill. Of course, our whip led off, the member for Oak Ridges. He gave just an excellent presentation as the kickoff. I'm sure that those on the other side of the House this evening and those who will look at Hansard and study the content, what's being put on the record, will be convinced that Bill 114, the Victims' Bill of Rights Amendment Act, indeed is a very worthwhile piece of legislation. There is no question in my mind that we'll end up getting unanimous support in this Legislature.

If passed, this bill will create a permanent Office for Victims of Crime to give victims a stronger voice in our justice system. We talk a lot about promises made, promises kept. In the last election our platform was the Blueprint. As you remember, in 1995 it was the Common Sense Revolution. Both were very well named.

1920

I'd just like to draw your attention to page 29—that's how far through this Blueprint we are. We'll soon have it completed. It's under "Strengthening Victims' Rights": "For too long, the criminal justice system treated victims of crime as an afterthought. Our government has supported victims through all stages of the legal process by creating the Victims' Bill of Rights, expanding victims' programs, making it easier to bring civil suits against offenders, and by launching an Office for Victims of Crime staffed by crime victims and front-line justice professionals."

I'm reading this because I'm sure a lot on the other side of the House never got around to looking at it during the last campaign.

To help build on these accomplishments and provide even better support to all victims of crime, we will put all the various programs and services for victims together under a single, focused agency, our Office for Victims of Crime. The office will be permanently established in legislation and will have a new role in ensuring that the principles of the Victims' Bill of Rights are respected.

We will also develop provincial standards for all victims' services.

All of this will be in addition to the vital network of shelters and sexual assault centres that work tirelessly on behalf of women victimized by crime. Our victims' rights initiatives will complement and strengthen that network in its current independent, community-based form.

I just thought I'd bring that to your attention to remind you that this is a government where promises made are indeed promises kept.

The Office for Victims of Crime will also provide advice to government on victims' issues and it may also be assigned other special duties. The proposed office would consult with victims on many different areas, for example, the standards for the delivery of services to victims. It would also be involved with legislation, policy and practices relevant to victims of crime. It would also be involved with the use of the victims' justice fund. Of course, it would also do research to provide information and education on victimization and particularly its prevention.

This permanent office will ensure that the principles are set out in the Victims' Bill of Rights and that they are respected and that victims will receive quality services wherever they live in the province of Ontario. That is why this bill was introduced. To get some handle on it in understanding and feeling, the concept behind the developing of this office is similar to the Provincial Auditor's office and to the Environmental Commissioner's office. This underlines a commitment we have to support victims, particularly victims of crime.

In keeping our commitment, which this government has a real reputation for—I just read what was promised in the Blueprint, that we promised to introduce legislation to create this permanent Office for Victims of Crime. We're committed to creating a high-profile and permanent home for crime victims.

This bill places a physical emphasis on the importance of victims' rights. It's important that that physical emphasis, that physical presence, be there. It does give a feeling of confidence. I'm sure a lot of confidence has been destroyed in victims when they find themselves as victims.

This is similar to the commitment we've made to crack down on violent inmates; the commitment to bringing in tough new measures to combat domestic violence—and we've spoken often in this Legislature about that; and also taking strong steps to make sure that Ontarians feel safe in their streets and in their neighbourhoods. I'm sure you will recall the Safe Streets Act we brought in. Many members from across the floor have tried to misconstrue that bill to let service clubs and volunteer organizations think they can't have a toll road. It never was legal to stand out on highways and stop vehicles as a toll road, wave them to the side, off on to the shoulder, have signs set up. That hasn't changed. We've gotten rid of the aggressive panhandler with a captive audience, and that is right. I don't think anyone who's at an ATM or is stopping at a traffic light or a stop

sign should be approached by aggressive panhandling, and that's simply what that bill did. It did not change the rights of service clubs, it did not change what volunteer organizations could do legally, although the opposition keeps trying to run out a message to mislead, and that's very unfortunate.

Back to the particular issue, victims' rights, we're keeping our Blueprint commitment that victims of crime will have a permanent organization that listens to their concerns and takes those concerns directly to the government.

This is so different from what we've been seeing out of Ottawa. The federal Liberals, the cousins to the Liberals across the House here, have certainly forgotten their commitments, if they ever did really commit themselves. They sort of voice off and then they have a premature election. I don't think they learned anything from the Peterson experience back in 1990. It'll be interesting to see if history repeats itself. It's now just a little over three years. We had to wait for the NDP to go almost five years before they finally pulled the plug. Why would it take them five years, with a final year of do-nothing? Actually, it was five total years of do-nothing, but that last year the House only sat for something like—was it 21 days or 24 days? Something like that. I think they were just collecting their paycheque and doing very little else.

What I wanted to talk about for a moment is some of the initiatives, the bills, that died on the order paper in Ottawa. Seventeen of them died on the order paper, after all the work and all the money spent getting them on the order paper, pretending they were important. Something like the endangered species act: three times they've brought it forward and twice it's died on the order paper. Mr Anderson was going to be this wonderful environmentalist, the saviour of the environment, but what's he done? The endangered species act died on the order paper.

In connection with this debate, the Young Offenders Act—weak as the changes were; they were almost useless, but at least they were doing something—and lo and behold, it died on the order paper. Stronger sentences were being brought forward, not much stronger, but a little stronger for multiple murders. That died on the order paper.

You must note also their promise to update the Criminal Code. I was particularly enthused. There's a connection between animal abuse and abuse of humans, and I had lobbied, had a resolution through this House just last November, and we lobbied with the federal minister, but lo and behold, nothing's happened.

It's interesting to note in the Toronto Sun a recent editorial that talked about what's going on federally with law and order and the lack thereof. Actually, the heading is "Law and Disorder," and that comes because of the federal government. They talk about "the election frenzy that's broken out this week like an unwanted virus." I can tell you, no one wanted this federal election, other than the greedy politician who is the Prime Minister, called

Chrétien. I don't know of any other reason to have an election. I can understand he had two choices: either call it this fall or step down, because come next spring he was going to get totally wiped out of the water by Stockwell Day. That was the direction it was going. He's just greedy. He wants to have three wins in a row. I can tell you he is not going to have three wins in a row.

This editorial goes on: "The jurors are hearing an early parole request by Colin Thatcher, the former Saskatchewan cabinet minister found guilty of murdering his ... wife JoAnn Wilson in 1983. Initially sentenced to life in prison with no parole for at least 25 years"—now, 25 and 83; we can all add that up, and that doesn't come to the year 2000; it's just about 17 years—"Thatcher has asked to be released after just 15, under section 745 of the Criminal Code, more (in)famously known as the 'faint hope' clause. (Although how 'faint' is a matter for debate—most murderers who've applied under it have won their request, mainly because the hearings focus on the inmates' behaviour in prison, rather than their crimes.)"

This is just an example of Liberals being soft on crime, and that's the problem.

1930

Mr Dominic Agostino (Hamilton East): He was a former Tory cabinet minister.

Mr Galt: I don't care what cabinet he was a member of. He murdered his wife. He was locked up for 25 years, and your federal cousins are going to let him out easy. They're having a look at it. Take a look.

It goes on to say, "So, what have the Liberals done for law and order lately? Better to ask, what have they left undone?..."

"Among the initiatives now dead on the order paper are:

"The controversial replacement for the Young Offenders Act," which I just mentioned.

"Increased penalties for stalking and home invasion." They let that die; it was more important to run out and get re-elected.

"Consecutive sentences for multiple murderers (a private Liberal member's bill that was bitterly opposed by other Liberals)." Well, of course. I'm not surprised it would be opposed, because they're soft on crime and they want to support the perpetrators of these crimes, murders and that kind of thing.

They also let die "a revamped Immigration Act that would have, among other things, helped prevent criminals from pouring into Canada." This is a haven because of federal laws. We've certainly had our share in the past, but invite them in, as your federal Liberal cousins.

"The Liberals also abandoned pledges to introduce new laws against child pornography and to raise the age of sexual consent. How could any election be more important than these things?"

"When your Liberal candidates start boasting about their party's commitment to Canadian 'values,' remember this record. What values are they committed to, exactly?"

What are they? I have to go along with this editorial, because it is certainly an indication of where Liberals stand when it comes to crime: support the murderers, support the perpetrators, but no interest whatsoever in helping victims. We, as a government, as a party, stand firmly, very firmly, on the side of victims.

It's most unfortunate that these various bills and initiatives are dead on the order paper just because we had a greedy politician called Chrétien in Ottawa, a greedy Liberal. Hopefully, he learns the same lesson that Peterson learned back in 1990. They've only been in government slightly over three years. It's standard in this country that you go for four years. Just try and explain that to the people on the street. I think by the middle of November, as we move towards election day on November 27, the message will be loud and clear about what the people of Canada think about a government that would be so greedy to go to the electorate prematurely and spend all this money that taxpayers really didn't want to have spent on an election.

Different from the federal Liberals, here in Ontario we are indeed on the job and we are indeed keeping our commitment and keeping our promises. We're following through on our plan to give crime victims a stronger voice.

In our society it seems as though criminals have the rights. That's what we hear from Ottawa; that's what we hear from the other side of the House. But what about the victims? When I talk about what we hear from Ottawa, there's Karla Homolka, for example, having fancy birthday parties, a fancy gown to dance around in at her birthday party while behind bars. That's the kind of thing we have to deal with when Liberals are in charge. I recently heard that she even managed to get a PhD behind bars. I think that's just fine, to receive education, but certainly they need to pay for that.

That is what's going on in our provincial institutions, as was referred to by our Minister of Correctional Services, who is right on track with what should happen: that they're rehabilitated but they also serve the time for doing that crime.

If we use some common sense—and we don't see very much of that from across the House—I'm sure we can all agree that those people whose lives have been terrorized and changed forever should have their rights and wants respected. That's different from what we hear in the debate across the House.

Victims are unwilling participants in this justice system. They never asked to get involved. Any one of us in this Legislature could walk out and find ourselves a victim on the way back to our homes or whatever. I'm sure the members on the other side of the House would have a very different feeling if they were one of these victims. Victims deserve all the support and assistance that we as legislators can possibly provide. This bill will ensure that the principles set out in the Victims' Bill of Rights are respected. The government will consult and liaise with victims to better serve them and protect their rights.

I had the opportunity earlier today, this afternoon, to question the Minister of Correctional Services here in Ontario about what he was doing, drawing a comparison with our federal counterparts. I would like to share with you some of his responses and what I questioned him on earlier today. I won't go through the preamble.

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: I think what the member has to say should be shared by his caucus. Is there a quorum present?

The Acting Speaker: Is there a quorum present?

Acting Clerk at the Table (Ms Tonia Grannum): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Acting Clerk at the Table: Mr Speaker, a quorum is now present.

The Acting Speaker: The member for Northumberland.

Mr Galt: What I wanted to relate when I was so rudely interrupted by the quorum call—I had a preamble, but I won't bore the opposition with some of the things in that. I questioned the minister: "One of those bills was the proposed amendments to the Young Offenders Act. Do you think the federal Liberals were ever serious about this legislation?"

His response—I'm having trouble finding it—was, "With respect to the youth justice system, I would suggest to the federal Liberals that they take note of the reforms we've implemented. Instead of taking a soft-on-crime approach to young offenders, our government has decided to implement boot camps across the province where young offenders learn the value of strict discipline and structured regime. Also, our government has taken many initiatives towards creating a justice system that takes the rights of victims seriously."

He went on to say, "We have created an Office of Victims of Crime, as well as introduced measures to give a greater voice for victims at parole hearings." He winds up, "It appears that the federal Liberals may start listening." It is just unfortunate it took an election call for them to take even a baby step towards helping the victims of crime.

That was a supplementary response. The original question went along this line, with his answer, "It seems that the federal Liberals have tried to use their legislation as a cover-up for their refusal to take a tough stand on crime." What a shame.

He goes on to say, "I can only hope that the citizens of this country will remember the many victims who have suffered due to the ineptness of the Young Offenders Act and will remind the federal Liberals that the priority should be the interests of victims and not the interests of criminals."

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Unfortunately, it appears to me that the federal Liberals are taking a page right out of the book of their cousins across the way from us here this afternoon. There's more evidence of the federal government being soft on crime.

There's no question this government supports victims of crime. Victims need to be assured that they have a voice and that their voice will indeed be heard. As I alluded to already, it seems that criminals often have more rights than victims. I don't think there's any question that in years gone by that's certainly been true with our federal legislation. But I'm proud to say that this government has taken action to protect the rights of crime victims.

Victims need to know, and it's so important, especially in the emotional state they're in after they've been victimized, that they are not alone. They need to feel as though they have a voice and that indeed someone is listening. I'm pleased to say that this government is indeed listening.

Just to wind up this debate, the creation of a permanent Office for Victims of Crime fulfills another government commitment. Our government has as its trademark, "Promises made, promises kept." It doesn't matter what the opposition try to mimic across this House. That's what we're known for in the street, and I expect, at the rate we're going, that we always will be known that way as a government.

We're not only committed to bringing in tough new measures to combat criminals; we're also committed to support crime victims. That is what Bill 114 is all about. The Office for Victims of Crime will provide the government with a means of liaising with crime victims so we can provide them with the care and services they need.

I encourage all members to support this very important bill, Bill 114. I can't believe it won't have unanimous support when the vote comes in. I'm sure that when the opposition looks at this bill carefully, they'll recognize its importance and will support it.

Thank you very much for the opportunity to present on Bill 114.

The Acting Speaker: Questions and comments?

Mr Gerretsen: I'd like to comment on the member's speech and the other members' as well.

The people of Ontario should first of all know that this is a one-page bill. This basically sets up an office that has already operated for the last two years. It adds absolutely nothing to the rights the victims of crime already have today. Nothing has been added to that.

It was very interesting to listen to the last member talk about what the federal Liberals haven't done. He keeps forgetting—we know that the Toronto Sun never says anything that isn't correct, and what did the Toronto Sun say on Tuesday, March 19, 1996? This is not a prop, Speaker. This is something that aids me in reading the headline that was there that day. It says, "Tories Stand by Deal with the Devil." That's what the Toronto Sun said on March 19, 1996.

He can talk about other matters that are currently before the courts, such as the Thatcher situation in Saskatchewan etc, but these Tories, this government that was elected in 1995, in March 1996 stood by what the Toronto Sun refers to as the deal with the devil, that is,

the Karla Homolka situation, which still has many Ontarians upset on all sides of the House.

So for the government to once again say it is tough on crime, and it always likes to talk in terms of toughness—you may recall that yesterday we talked about the environmental bill and that they increased all these fines to millions of dollars, but they forgot to mention to the people of Ontario that there are no enforcement officers left. It is exactly the same thing when it comes to fighting crime. If you want to do anything meaningful, you have to have the resources there, whether it's helping the victims of crime, whether it's helping all those innocent victims, such as the women and children who need care in shelters. Let's put some money where it's really meaningful and let's help those victims of crime who need immediate help, which this bill doesn't do at all.

Mr Christopherson: I must say that the remarks of the government members, particularly those of the member for Northumberland, remind me very much of comments made by the former Attorney General for the Harris government on Wednesday, December 13, 1995, when he rose in his place to start second reading debate on Bill 23. That was their infamous Victims' Bill of Rights. The members today keep saying, "Just listen to us, listen to what we're doing; we know how to deal with the issue of victims of crime"—words, words, words. Here are some more words for you.

Your Attorney General said in December 1995, and this is out of Hansard: "This bill meets our commitments to Ontarians to bring forward a victims' bill of rights, something we promised during the last election campaign, and it'll bring, we believe, meaningful change to the way victims are treated in the criminal justice system." Sound somewhat familiar?

A few years later, May 1999, two Ontarians went to court to have the rights enforced that they believed the Attorney General told them they now had. What did the judge say about that same bill that Attorney General Harnick was so—just like all of you today—puffed up and proud about? The judge said, "I conclude that the Legislature did not intend for" section 2(1) of "the Victims' Bill of Rights to provide rights to the victims of crime. The act is a statement of principle and policy, beguilingly clothed in the language of legislation." He also said, "It does not establish any statutory rights for the victims of crime." There's always a huge gap between what you say and the reality Ontarians have to live.

Mr Garfield Dunlop (Simcoe North): It's a pleasure to rise this evening and make a few comments on second reading of Bill 114, the Victims' Bill of Rights Amendment Act. I'd like to thank all the speakers, particularly Dr Doug Galt, the member for Northumberland, who always brings another perspective to his comments here in the House, particularly in the fact that Dr Galt, as a veterinarian, has had so much interest in the abuse of animals. As we've discussed a number of times in earlier debates in this House, the fact is that the abuse of animals is a first step in many cases toward identifying people who will abuse their families at home. Dr Galt, I appreciate

ciate your comments. I know you've had a bill that you wanted the federal government to pass for some time on that.

I was interested in the comments of the member for Kingston and the Islands on the Karla Homolka case, when he had that prop he put up and waved in front of the House. The fact of the matter is that once again the federal corrections system was caught. People didn't realize that Karla Homolka was in Joliette, Quebec, enjoying the life of Riley at what across the country we call a Club Fed. She was interviewed or caught in a photograph with her lovely evening gown on, celebrating her birthday. As soon as the public found out about that, like usual federal corrections reacted immediately and shipped her off for some unknown reason to a maximum security facility. The fact of the matter is—

Mr Gerretsen: You made the deal.

Mr Dunlop: I know you don't want to hear that. But based on that, I know very well that we have got comments on it.

Mr Bartolucci: My only comment to the several government members who spoke to the bill, not about the bill, is that we're a little bit disappointed on this side of the House that you chose this as an opportunity to slam the federal Liberals as opposed to spending time talking about what your government has done with regard to the report on victims' services in Ontario entitled *A Voice for Victims*. As you would know, or maybe most of you don't know, this comes from the Office for Victims of Crime. In it there are 71 recommendations that the Office for Victims of Crime has made to you, the government, and they've asked you to act upon these. Sadly, we could go through these 71 recommendations—

Interjection.

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Mr Bartolucci: The Minister of Labour is wondering what the report is. The report comes from the Office for Victims of Crime. It's called *A Voice for Victims*. The transportation minister is still shaking his head. It's a report on victims' services in Ontario. They have made 71 recommendations. This is probably news to the government members, because I'm sure the Premier's staff has shielded this report from you because they wouldn't want you to know what the Office for Victims of Crime wants. They have 71 recommendations. They want you as a government to begin the implementation of these 71 recommendations.

Sadly, to date, many—no, most—of these recommendations have not been acted upon. I would have hoped that the government would have spent time talking about what they are going to do.

I do, though, before I close, want to thank the member from Brampton Centre for mentioning northern Ontario and our needs. I only wish he would have mentioned that the government has cut off most of our needs because of their reduction in services.

The Acting Speaker: Response?

Mr Galt: I certainly compliment the member from Simcoe North on his brilliant observations on the com-

ments that the four members on this side of the House made during the debate. He was very intuitive in recognizing the content, and also he made particular reference to what I had commented on, noting the relationship of animal abuse connected with human abuse, which is certainly an interesting relationship, one that we should monitor.

I found the member from Kingston and the Islands and others talking about this deal that Karla made with the government, but there seems to be a little confusion. I'm not too surprised that you people would be confused, but you've got the wrong government. It was the NDP government that made the deal. It was during their period. It was not our government that made that deal. So I think you should get your facts accurate. Once you want to mix up your facts, you should have them accurate to start with, rather than confused. So go back in history, go back and have a look. You know who made the deal. You know which Attorney General made it. You know how it got arranged. To try to dump it now—no, it's not going to work. A truth is a truth is a truth. Have a look.

I also heard the member from Hamilton West commenting about this huge gap between what we say and what's really out there. The huge gap is between the NDP and what was going on during that lost decade when there was absolutely no connection with what was happening. The member from Hamilton West is looking skyward. I'm not sure what he's expecting to come down, but I'm sure he must be praying or looking for seagulls. I don't think in this place he's going to find too many seagulls. Maybe he's looking for some divine guidance to help him out with his comments when he gets to speak on this bill.

The Acting Speaker: Further debate?

Mr Michael Bryant (St Paul's): I am pleased to stand here and respond to this bill on behalf of the official opposition. Dalton McGuinty and the Ontario Liberals will support any step, however minuscule, to further help the plight of victims of crime in the province of Ontario and the victims' movement. As an aside, I'll be sharing my time with a number of our members.

We've heard in part some discussion about the victims' movement. We've heard some discussion in part about victims of crime in the sense of crackdowns, victims of crime in the sense of prevention and victims of crime as it's understood by the victims' movement. Let's be clear: if you want to get answers as to the state of the nation, as it were, and the province of Ontario when it comes to victims, I would urge all Ontarians, and I would certainly hope that all members have already reviewed this, to read the report on victims' services in Ontario, *A Voice for Victims*, put out by the office in June 2000.

I'm going to return to this in a moment, but let me just say this: it outlines the point of the victims' movement, the shortcomings; it sets forth, with a tremendous amount of research, obviously, the facts; and it sets forth a number of recommendations. It is not, by any stretch of the imagination, a government propaganda piece. That's the point of this office. This office was created in order to be a spokesperson for victims.

I want to say right now with respect to this act, and again I want to return to this important report in a moment, that we on this side of the House have a concern that the original purpose of the Office for Victims of Crime can never be subverted. By that I mean that this cannot be, the office, another layer in the onion that is the Ministry of the Attorney General. I say that with respect to all of the excellent people working in that ministry. We need some independence between the office and the Ministry of the Attorney General so that the office can feel free to say to prosecutors and to say to the chief legal officer, to the executive of the government, "You're not fulfilling your mandate, you're not fulfilling your promises."

To some degree, we have the checklist right here: 71 recommendations. Now, we are fulfilling one of those recommendations here tonight with this bill, but let's be honest, this is a three-section bill. It fulfills a minor recommendation in this report, and that's to take an office that has been existing for two years and make it a permanent office. That can hardly be the fulfillment of the promise made by this government in 1995 and in 1999 to victims. It is not the fulfillment of that promise.

To fulfill that promise, the government of Ontario has to act on all 71 recommendations. I can tell you that to date these recommendations have not been acted upon. The vast majority of them have not been acted upon. These are promises made and, to date, promises unkept by this government.

We're also concerned in the official opposition that this act is quite typical of what this government has been doing with respect to victims of crime. The name of the act is the Victims' Bill of Rights Amendment Act. It's misleading in two respects. Firstly, there are no enforceable victims' rights in the province of Ontario, and we'll talk about that in a moment. But I think every member of this House understands very well that we have no enforceable victims' rights in the province of Ontario, so it's really misleading to suggest that we have an act that provides those rights. To name the act as such would be economically—

The Acting Speaker: Order. You might want to reconsider "misleading."

Mr Bryant: I'm sorry. I'm not saying any member is misleading.

The Acting Speaker: I understand.

Mr Bryant: I withdraw. All I meant to suggest was that the government is at best being economical with the truth when it calls this act the Victims' Bill of Rights Amendment Act.

It's further misleading—economical with the truth?

The Acting Speaker: "Economical with the truth" would be much better. You'll withdraw?

Mr Bryant: You want me to withdraw "economical" or "misleading"? "Misleading" is withdrawn. "Economical with the truth" is back. Thank you, Mr Speaker.

This act floats the Victims' Bill of Rights Act out there into the public domain, and here's what happens. Talk shows pick it up, newspapers pick it up. We know

the brilliant communications team over in the Premier's office knows that they can get away with sending out this superficial message; this is about victims' rights. So then they'll call up members of the opposition and say, "Do you back this bill?" You've got to be in favour of a victims' office, and of course we are. We were in favour of it at the time that it was established, but it has been around for two years.

There's no contribution, seriously or whatsoever, to victims' rights with this act. This act is not making any contribution or furthering the victims' movement or the victims' place within the criminal justice system. It's typical of this government's approach to victims and its approach to crime. It is all talk, it is no action.

It floats out the idea in the hopes that Ontarians aren't paying attention. But I can tell you that victims of crime are paying attention, and they're losing patience. We need an independent office for victims of crime in order to be their advocate.

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What are we talking about when we talk about victims? We are talking about a component of the criminal justice system which really, until the 1980s, and arguably until the 1990s, was not given its proper place. That popular television show *Law and Order*, how does it open up? It says, "The criminal justice system is made up of two separate but equal components." I'm paraphrasing. "One is the police, who investigate the crimes, and the other is the district attorneys, who prosecute those crimes. These are their stories." It leaves out and doesn't say anything about the victims of crime. That popular description of crime is the one that became entrenched in our criminal justice system: entrenched in our Constitution, entrenched in the way in which we set up the Ministry of the Attorney General and entrenched in the sense that the criminal justice system was only seen as a contest between prosecutors and defendants. Judges were supposed to arbitrate—objective judges, blind. Justice is blind.

Where do the victims come in in this? There is nowhere for them in all. In the Charter of Rights and Freedoms, as was enacted in 1982—the anchor to our criminal justice rights, if you want to call them that—there is nothing in there about victims. Under the charter there is a right to life, liberty, and security of the person. You couldn't infringe on those rights except in accordance with the principles of fundamental justice. The entire focus of the Constitution and of the charter was ensuring that the rights of the accused were not infringed. Through that revolution of rights talk, competing stakeholders, victims were left out.

Another way of thinking about the victims' rights movement is to say that the state has responsibilities to victims. The state, the prosecutors now—because that's the only way to make it fit within our present system—has to have responsibilities to victims in addition to fulfilling their responsibilities to prosecute.

The problem of course is, as I'll talk about in a moment, that the primary duty of these prosecutors in

fact is not to victims. It says right here in *A Voice for Victims*, at page 67, that the crown is not the victim's lawyer. That's a bit of a problem, because if the crown is not the victim's lawyer, who is representing the victim? Is the victim expected to go out and find their own representation? No. There has to be a balance, and crown counsel are doing their best to achieve that balance, to respect the responsibility they have to victims at the same time as fulfilling their primary duty to prosecute. In the midst of that, the focus of most of the jurisprudence and most of the rights, certainly all the rights, in the charter have been upon helping the accused, and nothing for the victims. Out of that came the victims' movement. Why? Because they were being shut out.

In the rush to prosecute, there's nobody listening to the victims. In the rush to ensure accused civil liberties, there's nobody listening to the victims. What happened, as has been described by a number of members in this House, is that victims were revictimized. They weren't heard by the crown. They were ignored by the crown. They wanted to give a statement to the sentencing judge so the judge understood exactly what the impact was, and no opportunity was provided. They provided information that would be critical to the prosecution and it was ignored. This report is outlined with stories of victims whose promise, really, was unfilled. It shows how they were excluded and alienated by the justice system.

It led to some courageous people—and I don't want to mention just one of them, because I want to mention all of them—some very courageous people, many of whom were involved with the Office for Victims of Crime who came forward so that no other family would have to go through what they went through. They tried to construct and energize victims' rights in Ontario and in Canada.

That was the promise of the victims' rights act and it was not a promise fulfilled. We've already heard that victims decided to see if the so-called rights under the victims' rights act had some teeth, so they went to court. They tried to force the judge to tell the crown what the crown basically had to do. They tried to enforce their victims' rights.

As has been said by the member from Hamilton West, the Ontario Superior Court said that the Victims' Bill of Rights, 1995, passed by this government, is a "statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime." Zip. No enforceable rights.

This new act, the Victims' Bill of Rights Amendment Act—again highly economical with the truth; no Victims' Bill of Rights in the province of Ontario—provides no such enforceable rights. There's no sequel to the Victims' Bill of Rights which provides victims with enforceable rights, so they are left to advocate. They are left to advocate through members, through petitions, through the office, but one would hope also through legislation. This legislation does not do that. It does create a permanent office, which is one of the recommendations of the office. I just want to ensure that this

act is not a Trojan Horse and will signal the end of the office's independence.

Ontario Liberals have put forth a number of initiatives in the name of victims to support victims' rights. I'll let the Conservative government explain their ideological underpinnings for doing so. I'd suggest that it was born out of a sense of radical individualism, that quite rightly there was an individual out there who needed to be empowered by these rights because the states weren't fulfilling their responsibility.

The Ontario Liberals' ideological foundation in assisting victims is in fulfilling the role of government. We see government being an agent for good. The government is really the only institution that can assist victims. Of course, the Harris government does not agree with that. They say they're not the government; they're the ones who came to fix it.

Be that as it may, we Ontario Liberals want to have safe communities, safe neighbourhoods and safe streets. Furthermore, we want to fulfill the obligation of our justice ministries to victims to try and basically take the promise in the charter, the principles of fundamental justice, and say that those principles include victims' rights. It's interesting that some victims are trying to make that argument to the courts. I'll be interested to see, and I'm hoping that the courts do find, such recognition in victims' rights through section 7—not the original intention, but that's the point of an evolving constitution.

What are some of these Liberal initiatives? And let's compare the Harris government's efforts in particular in the last year: their approach to victims' rights versus the Ontario Liberals' approach. My conclusion, you won't be surprised to hear, is that the government's approach to date has been all talk, no action. It has been a series of phony crackdowns. Interestingly, many of these phony crackdowns have ended up putting a greater burden on victims. I want to look at each one in turn but, shockingly, the government has ended up increasing the burden of victims, not providing enforceable rights, not fulfilling their promise to victims. I have no doubt that it is their consternation and regret that a government that pretends to be a champion of victims is increasing their workload.

Let's start with what I consider to be the typical government response to an issue of crime. They want to talk solely about crackdowns on crime after the fact but they don't want to crack down on the causes of crime. Nor are they willing to assist those victims who don't turn to the criminal justice system, of whom there are many.

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Date rape drugs, I take, is an example. Last summer, I brought it to the attention of the government. I'm sure they knew already—I hope they knew already—that the vast majority of victims of date rape drugs could not go and get tested to find out if they had the drug in their system. A woman could not go to a hospital or go to a doctor and say, "I don't know what happened, but I think I may have been drugged." In domestic situations, the situation is even more acute. What was the government's response? "You should go to the police."

Now, it is true that if you go to the police the forensics lab will test for the date rape drug, but that doesn't take into account the 90% of victims of date rape drugs, 90%, who do not go to the police. We may not like that, but that's the reality of it. Why would they not go to the police? In a domestic situation, they're not going to want to go to the police before finding out as many facts as they can as to what happened to them. Perhaps once they got the test done and found out that they had had the drugs slipped in their drink or they had the drug in their system, then they'd go to the police armed with that information.

But regardless of whether or not you're going to fulfill the crackdown on the crime, the government did nothing to prevent these crimes and is doing nothing to prevent date rape drug crimes, because it isn't giving women and men the opportunity to go and get tested. Perhaps that might be a deterrent. But even leaving aside the idea that you'd be assisting a victim of a crime vis-à-vis a crack-down or by preventing the crime, what about the victim in and of the situation itself? In other words, maybe they don't want to go to the criminal justice system, rightly or wrongly, but they want to find out what happened to their bodies. They can't. That's not assisting victims of crime.

Ontario Liberals support the principle that every single person who wants to be tested for date rape drugs should be able to be tested. The government stuck their head in the sand and abandoned 90% of those victims.

Guns: much has been said about guns in this Legislature. Ontario Liberals support a five-point plan to curb gun violence and recoup its cost. We support the regulation of the sale of phony guns and the commencement of litigation against gun manufacturer-distributors to recoup the health care costs and economic costs. Gun shot victims cost this province billions of dollars every year.

We support: passing legislation requiring that trigger locks be installed on all new guns sold in Ontario; repealing the regulation permitting 12-year-olds to use guns; and commencing a guns-for-goods program across the province. We pitched that in February and got no response from the government. They flip-flopped on the phony gun issue, but now that law is being passed. At the same time that they are supporting the regulation of toy guns, however, they are opposed to the regulation of firearms. When it comes to guns, the government is, unfortunately, not with the vast majority of Ontarians, who support gun control, but rather in the holster of the gun lobby. Ontario Liberals, on the other hand, are four-square in favour of curbing gun violence and recouping its costs.

With respect to hate crimes units, these units provide, ideally, a liaison with victims of hate crime. We have, literally, a handful of people in the city of Toronto who are members of that unit, same in Ottawa, and that's it for the province. They've got a bunch of what they call "liaisons" but they're just people who know the phone number to call in Toronto and in Ottawa. We have no regional hate crimes units in the province of Ontario, so if hate crimes are taking place in Sudbury, Kingston or Hamilton, they're just out of luck. The police officer has

to know that there's a hate crimes unit out there. There's no liaison built in, and there's certainly no unit built in.

Prosecutors were not seeking jail time for perpetrators of drunk driving causing harm or death, so Mothers Against Drunk Driving and I called on the Attorney General to make this a matter of course, a matter of policy, that there be a zero tolerance policy. Two weeks later, the government followed suit. Better late than never.

The Grandview-Galt training school for girls: this is a sad chapter in the history of this province. Most of the horrific crimes took place not on this government's watch, but this government did have to deal with the issue of apologizing and fulfilling the agreement for these victims of crime.

These women were sadly victimized again. The government's position was that a survivor lost any unused portion of her benefit that she received from the government if it was not used up by the government's cut-off date of March 31, 2000. We've called on the government to extend the time necessary, extend the coverage or transfer the unused amounts to counselling benefits, to OHIP.

Domestic violence: we have an act before us right now, the Domestic Violence Protection Act. Again, highly economical with the truth, because it suggests that they're doing something about domestic violence when in fact it's abandoning the vast majority of victims of domestic violence, who do not go to the criminal justice system. These are victims of crime who are not getting any assistance from the government of Ontario. They've, frankly, been abandoned by the government, and we're in the midst of hearings right now on the extent of that abandonment on the housing front and on the services front. The list goes on.

What about the parents who are victims under the Parental Responsibility Act? I'm talking about the victims of crime under the Parental Responsibility Act. These victims are told under the act, "Go and sue the parents of the perpetrator." Is the government offering assistance to these victims? No. Is the government going to pay the costs of counsel for these victims? No. They're creating yet another obligation for the victims. No assistance for parental responsibility, no assistance for the victims and no impact whatsoever on street crime in the province.

Deadbeat dad victims: custodial parents who can't get the payments made. The whole point of the Family Responsibility Office was to enforce those court orders. What a lot of victims of deadbeat dads have to do is engage in a part-time job, sometimes a full-time job, to try to get all the people who are working very hard in the Family Responsibility Office to deal with their case. Why? Because the backlog is bionic. It's unimaginable. Any member who has visited that office knows that the building itself is about to sink into the ground with all the files.

Victims of crime and domestic violence: Judge Baldwin, in an unprecedented move, wrote the Attorney

General of Ontario in July of this year, 11 months after her committee's report on domestic violence had gathered dust in the Ministry of the Attorney General, and said this: "I have observed no noticeable change in the manner in which counsel are approaching these difficult cases in the criminal courts in which I preside." In other words, victims of violence, victims of crime, were not being served by crown counsel in the view of Judge Baldwin. Another failure, another promise broken.

I don't have time to go through the litany of phony crackdowns against street crime in the name of parental responsibility, in the name of firearms. I can say that this government's commitment to victims to date has been all talk, no action. I look forward to the passage of these and other Ontario Liberal initiatives to ensure that the day will soon come when we will actually have enforceable rights for the victims of crime in the province of Ontario.

Mr Gerretsen: I'd certainly like to congratulate the member for St Paul's for giving a very good exposé as to what this bill is all about and what our initiatives would be once we formed a government three years from now.

I would just like to repeat a couple of points that he so eloquently made. People have to understand that the office that this particular act sets up in effect has already been operating for two years. There is absolutely nothing new here. What we're dealing with is a one-page act that I guess gives some permanency to the office. To that extent, I suppose, one could say there's something more now than there has been over the last two years.

There are a couple of points that were made that I think are very important and they bear repeating. First of all, that it's absolutely essential that this office act independently from the Attorney General's department. If it becomes in effect a non-arm's-length body, then I think the fact that it's there will be questioned by the general public.

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I just want to read to the general public the five reasons the office has been set up, which are set out in subsection 5.1(4).

It says it is there to "advise the Attorney General on,

"(a) ways to ensure that the principles set out ... are respected;

"(b) the development, implementation and maintenance of provincial standards for services for victims of crime;

"(c) the use of the victims' justice fund to provide and improve services for victims of crime;

"(d) research and education on the treatment of victims of crime...."

The point I am trying to make is that this office should be totally independent from the Attorney General's department. It should not become an integral part of that department.

There is another point that bears repeating as well. That is the fact that it has now been judicially determined in the case of *Karen Lee Vanscoy, Linda Marie Even and Tracy Lilian Christie v Her Majesty the Queen* in the right of Ontario that this particular act doesn't really give

victims of crime any more rights than they had before. Let's just read the operative part of the judgment in that particular case.

The judge states, "The act articulates a number of principles, whose strength is limited not only by precatory language, but also by a myriad of other factors falling within the broad rubrics of availability of resources, reasonableness in the circumstances, consistency with the law and public interest, and the need to ensure a speedy resolution of the proceedings. Finally, even if there were an indefensible breach of these principles"—and this is the really meaningful part—"the legislation expressly precludes any remedy for the alleged wrong. It is nothing more than a statement of governmental policy wrapped in the language of legislation. While the applicants may be disappointed by the Legislature's efforts, they have no claim before the courts because of it."

What that means is that no one can apply under this act to have their rights as a victim of crime judicially laid before the court. The judgment is very clear on that. All we've got here is a statement of government policy. As far as the judge was concerned—this judgment was rendered in May 1999, and it has not been appealed, as far as I'm aware—it doesn't give the victims of crime any legislative right to become involved in it.

That in itself is disturbing, because it basically means that if government policy should change about how victims of crimes are to be associated in our criminal justice system, then that can be done without really making any changes to the statutes.

I would urge the Attorney General to take a look at this judgment and to bring in meaningful legislation. If we're going to have legislation it should be meaningful and the rights of the victim should be clearly spelled out therein and be judicially enforceable.

As has already been reported, *A Voice for Victims* came out in June 2000 with a report on victims' services in Ontario. There were some 71 recommendations that this organization came up with, of which this particular bill was one. Yes, the government has implemented this one, albeit in a manner which is not legally sanctioned from the point of view that victims do get real rights before the courts.

But in reading through the other 70 recommendations, I was struck by a number of them. Most of these recommendations have not been implemented in any way, shape or form. I was just wondering what the intent of the government is to implement some of the other recommendations.

For your benefit and for the benefit of those people who may be watching and for the government members who seem to be very interested in this matter tonight, let me repeat some of these recommendations and let's just see what the government response is. Maybe we can have some response in the two-minute responses we'll get after our speeches are finished tonight.

For example: "The Ministry of the Solicitor General should proceed with the establishment of the Ontario sex offender registry and create and fund a province-wide

enforcement unit with additional duties to apprehend high-risk offenders who are unlawfully at large.”

What’s been happening on that? This is a solid recommendation.

It goes on to say, “The Ministry of the Solicitor General should take steps to ensure that all police services in Ontario have common or compatible communication and information (file management) systems including those detailed in the major case management project and that this be precisely mandated and enforced pursuant to the adequacy and effectiveness standards required under the Police Services Act.”

I know that is not the case as yet. They’re working toward it, but we’re not there yet. It may come as a bit of a surprise to the people in Ontario that the communications systems of the various forces across the province do not necessarily jibe with one another, do not necessarily allow for the integration of information to take place, which one would expect in a province like Ontario.

Another recommendation: “The government of Ontario should launch a concerted effort to ensure compliance with orders made by criminal courts. This should include not only probation and bail but also collecting on unpaid fines....”

Speaker, you and I know, from the Auditor General’s report that came out I believe the year before last, that there are millions and millions of dollars of unpaid fines that not only have never been collected but have never been gone after in a concerted effort. I can’t remember exactly what the amount was—I can remember talking about it at the time—but it was literally millions and millions of dollars. This is a recommendation made by this panel.

It talks not only about the collection of unpaid fines but “...bail forfeitures and unpaid restitution orders, the proceeds of which should be directed into a statutorily created law enforcement fund with defined purposes for expenditures restricted to law enforcement/public safety or victim services issues or to victims owed restitution.”

In other words, it should go into a designated fund for victims of crime, which isn’t happening right now. Right now, it goes into the consolidated revenue fund of the province of Ontario and can be used for whatever purpose the treasurer and the cabinet of the day feel it should be used for. So this is another recommendation, and we anxiously await and look forward to some changes in that regard.

Let’s get down to some of the other services that ought to be provided.

For example, recommendation 17, that “An empirical review of comparative recidivism by offenders who have taken the violence awareness programs for women be undertaken by the Ministry of Correctional Services.”

That would be very interesting to find out, whether these programs do actually work. I don’t think anybody’s got any statistics on that.

Also, that “Surviving family members granted standing at a coroner’s inquest be eligible for defined funded counsel either by provision of special funds to the

coroner’s office or through a special legal assistance fund administered by the Office for Victims of Crime.”

That’s not happening right now. As a matter of fact, as the member for St Paul’s has already indicated, it specifically states in this report, just so there’s no mistake about it, that the crown is not the victim’s lawyer. Yes, the victims do play a role in the criminal justice system, but they shouldn’t for a moment think that the crown is their lawyer in a particular court proceeding. This is quite clear.

I am not suggesting that these people should necessarily get legal representation, but there may be some severe cases where it’s definitely something to be recommended. I’m wondering, in how many cases is it actually made clear to the victims of crime?

It goes on to say, “The crown does not represent the exclusive interest of the victims, although, as the crown policy manual correctly notes, the perspective and interest of the victim is one of the matters which the crown must take into account.”

I am quite sure that the general public, just from hearing about this bill and the previous legislation, may get the impression that they now have status and that somehow the crown attorney is there to represent their interests. This report and the court case are specifically saying that that is not the case.

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Let me mention just a couple of more sections before I turn it over to my colleagues here. Recommendation 57 is that “the establishment of a child advocacy centre, as referenced in this report, be examined by the appropriate ministries of the government.” What’s been happening in that regard? We don’t often think about children being the victims of crime. We usually think of adults being the victims of crime, but children are sometimes probably even greater victims, particularly of some of the domestic violence disputes that take place, than perhaps the adults involved. In any event, we tend to forget about the children and we think of it as more of an adult problem. What this recommendation in this report is clearly saying is that there should be the establishment of a child advocacy centre. Who is advocating on behalf of the children right now? That should be formalized in some definitive way.

There are 65 other recommendations here that should not only be acknowledged but should be dealt with by this government in a meaningful way.

I say to the government, yes, this is a step in the right direction. You basically already took this step two years ago. All you’ve done here is make this office permanent, but we also suggest that you give it some greater legal significance so we don’t run into the same problems as we did in this particular case.

With that, I am more than pleased to turn the balance of our debate over to the member for Hastings-Frontenac-Lennox and Addington.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I will be sharing my time—I will not be taking the full time—with the member from Hamilton East.

I would like to make a few points with regard to the bill that is before us this evening. I listened with some interest to the government members who made presentation. I have to say, for the record and for the people viewing—I am sure they might have wondered if they were watching a provincial Legislature or the federal one, because there seemed to be more references to federal business than provincial business. I'm here to talk about provincial issues and issues that impact on people in my riding.

We have before us a bill that will create an Office for Victims of Crime, and a very important office it is. I would never stand in the House and speak against the establishment of such an office. I'm pleased to report, by the way, to the people of Ontario, in case they might be of the idea that this would be new, that it has actually been up and running in this province and providing service for the people of the province for two years now. But for some reason, the government believes it is necessary, to demonstrate that they are advocates for victims of crime, that they would establish this office, a point I will speak to a little bit more a few moments later in my comments.

We did hear, throughout the presentation of the government, that they are great advocates for victims of crime, yet I was very disturbed to understand, from a document where there have been significant recommendations made to the government in terms of how they might assist and support victims of crime, that this government has chosen to be inactive on most of them.

Another point that demonstrates the government's lack of action in terms of supporting victims of crime is that it took a recent media conference held by the Mothers Against Drunk Driving to point out to the Attorney General in this province—I mean, the government's very good at pointing out those federal situations that don't seem just. I'm not going to stand here and argue that they are just, but look at your own record, look at the justice that is being meted out in provincial court. Look at what the Mothers Against Drunk Driving—it took a media conference to bring to the attention of the Attorney General that conditional sentences for drunk driving were being issued by crown attorneys in the province. Drunk drivers were getting conditional sentences for what I consider to be a very serious offence.

Members of my community were very aware of some tragic situations that have resulted from drunk drivers. Now we understand there has been a pattern that drunk drivers in this province are getting conditional sentences. I'm sure it would be offered in that they perhaps didn't cause any harm to anyone other than themselves or their property, and that may be true in a particular instance. My leader, Dalton McGuinty, believes there should be unconditional discharges of justice in this case. We are calling for a zero tolerance policy for drunk driving causing death or injury, or for repeat offenders, something this government could take action on but we have not seen that as yet.

I want to talk a little bit about the victims of crime and the inaction I've experienced or that has come to my

attention from an individual in my riding. This individual was a resident at the Grandview-Galt training school for girls. This individual was the victim of some of the horrible abuses that took place at the Grandview-Galt facility.

She came to my office very disturbed. Recent events have churned up much of the history she had put at the back of her mind. She would explain to me that her horrible experience there made it impossible for her to continue her formal education. She was blessed enough to be married and to have a family of her own. However, right now she stays at home to care for her husband, who is ailing. It came to her attention that there were some resources offered to the victims of the Grandview-Galt training facility so that they might pursue, at this stage in their life, some educational opportunities that for a variety of reasons they were not able to pursue because of, or related to, their experiences at that training facility.

So my constituent came to me and said, "Mrs Domrowsky, I understand these resources are now available for education, but I have to tell you that, as a victim, this is my situation: my husband is ill and he is unable to work. We have very limited resources. I stay home with him to look after him so he doesn't have to be institutionalized and can live with his family. However, because of our financial situation, I would like to take those dollars intended for education to compensate the victim and I would like to spend that money to educate my daughters." I thought that was a very reasonable consideration from a victim.

We set about to pursue this, because we thought it was very worthwhile that a victim would make this kind of request. We dealt with the office of the Attorney General of this province. We thought that the circumstances around this particular case were quite compelling, that there was a victim who, because of her unselfishness to care for her husband and her family, could not pursue and further her own educational opportunity, but she thought she could perhaps take those resources, that compensation, and pass it along to her children, that this government would be open to providing that opportunity for her and her family.

Do you know what the answer was? No. This woman who endured horrible experiences at that provincial facility, who has colleagues who are eligible as well for compensation, was told that because she would not use the resources herself but would spend those resources on her children, she did not qualify. That's how this victim was treated by the government. My heart broke for her. How can the people across the way stand up and profess to be advocates for victims and ignore the plea of my constituent?

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When we come here tonight to talk about providing benefits for victims of crime, I'm very happy to stand and say, yes, I will support any measure this government takes to assist victims of crime. We need to be aware that very often victims of crime pay for that experience for the rest of their lives. By extension, members of their

family pay as well. In my opinion, it's not enough to say, "Because you might have been the one directly involved, you are the only one we are interested in helping and supporting."

So I say this evening that I am somewhat disappointed there is really not much more in the bill than the establishment or the formalizing of an institution that's already in place and up and running and, I'm sure, assisting victims of crime. I think it's unfortunate that we take time in this Legislature, when there are so many pressing issues in the province, to formalize something that's already underway.

I think it's unfortunate that when we do have this opportunity, that when it is made available, it's not more substantive than it could and indeed should be for the victims in this province. My colleagues have presented a number, a myriad of examples of how the government could move to act in a meaningful way that would significantly and positively impact the lives of people who have been victimized by criminals.

I suggest that while I certainly am able to support the bill, it is most unfortunate we've not had the opportunity to support something that would be of more meaningful significance for victims of crime in Ontario.

Mr Agostino: I am pleased to join the debate and the very appropriate comments made by my colleagues regarding this piece of legislation.

First of all, as my colleagues have said, it's a small step in the right direction, something that should have been done years ago. You came in with this bill in 1995 and you pounded your chests about how wonderful this bill was. Then all of a sudden, in time, as with almost every other piece of legislation you bring in, you were exposed. Once again the public saw through what you were trying to do. A justice in this province saw what you were trying to do and made it very clear that the bill you brought in in 1995 was nothing more than a political statement and didn't really have the teeth it needed. What you're doing today is adding a little bit to that.

Unlike my colleague from Northumberland across the floor, who spent most of his time trashing the federal Liberals and being an apologist for Stockwell Day and the Canadian Alliance and their tough-on-crime rhetoric, which matches very much the rhetoric across the floor—the only thing I'll say to him is that I'm sure that Canadians on November 27 will speak very clearly about Stockwell Day and the Canadian Alliance and the kind of vision he has for Canada, compared to the kind of vision the federal Liberals have for Canada. I'm looking forward to November 27 to make that clear to my colleagues across the floor who are supporters of the Canadian Alliance, including the member from Northumberland.

This government likes to talk the talk about being tough on crime. They always do. What they fail to tell you, though, is what they haven't done. Let's remind Ontarians that this is the government that is going to court with millions of taxpayers' dollars to fight the gun registration law; there are only two provinces, the

province of Stockwell Day, Alberta, and the province of Ontario.

This government talks about victims' rights and brings in a Victims' Bill of Rights, but goes to the Supreme Court of Canada and believes that Canadians should not have to register their weapons, believes that police officers should be at risk when they knock on the door, believes that citizens should be in danger because Canadians should not have to register their weapons.

How does that match trying to protect victims when you go to court and you believe weapons should not be registered and controlled? It just makes no sense whatsoever, but that is typical of simply the rhetoric and the feel-good, pound-your-chest approach that reality doesn't match.

These are the poster boys for the NRA. They do commercials for Charlton Heston and the rest of the gun-sliding Americans who believe that it's your God-given right to carry a gun anywhere, any time. These are the same folks who do commercials for these folks. They talk about victims' rights but then they support the action of the NRA, which believes that if you have to wait more than 10 minutes to get a gun in the United States, there's something wrong. These are the same folks who support that.

This is the same government that said it's OK for 12-year-old kids to carry hunting guns and go hunting. Again, protecting rights, protecting kids, but they believe it's OK for a 12-year-old kid to be slinging a gun through the woods, as long as there's an adult supervising them, of course. That's OK. They believe it's OK for 12-year-old kids. On this side of the floor, Dalton McGuinty and the Liberals have made it very clear that we believe that is wrong. We believe the gun registry is a good law and this government should work with the federal government to enforce it, rather than fight it. We don't believe that 12-year-old kids should be carrying hunting guns. We think that's wrong. We don't believe that backbenchers should be poster boys for the NRA, should do ads for them and tell us how wonderful this organization is.

Let's also look at the reality of what has happened since they've taken office. There are fewer police officers on the streets in Ontario today than there were in 1995. Again, the tough law-and-order guys believe that it's OK to have fewer police officers on the street today than in 1995. The Minister of Labour across the floor puts his hand up and obviously agrees with that.

When you look at how tough they are with victims, remember my colleague from Windsor-St Clair. My colleague from Windsor-St Clair, six or seven months ago, raised that one of his constituents was the victim of a crime and ended up in a wheelchair, ended up having to go to a government program in regard to the assistance that is there if he was in an accident or he was a victim of crime. He ran out of the funding that was available, the maximum funding allowed under the previous legislation. He took that forward. He brought it to the Attorney General's attention and he waited six months before this government finally acted.

You talk about the issue of victims. When you talk about women's shelters, look what they have done. This is the government that has cut funding to women's shelters. They talk about domestic violence. They talk the talk, but at the same time, they cut funding to women's shelters.

They've eliminated funding to transitional homes. They've eliminated the stage of housing that a woman who goes to a shelter with her kids to escape an abusive and sometimes deadly situation goes into. There used to be support, where that woman could move into a home after that, could re-establish her life, re-establish her kids' lives and get them into a school. This government thought that was a bad program and cut the funding from it. Again, talk the talk, tough on crime. Their action doesn't match it.

You have to be embarrassed into bringing in a phony gun law that my colleague from St Paul's has advocated for a period of time. The Attorney General, at first, thought it was a bad idea. Then of course, once again, he got overruled by the Premier, which has happened regularly around here, and now they've brought in legislation. You have to be embarrassed to bring in legislation to ban phony replica guns. Again, the tough on crime guys. It was about eight months too late for that to happen.

Let's talk about what they've done when it comes to criminals in jail. What have they done? Because of the fact that their funding has not matched the increase in the inmates and the increase in our correctional services, they've put jail guards' lives at risk every day across this province because they refuse to act.

What is their sense of rehabilitation in jails or helping people to get back and get their life together when they get out of jail? Get a haircut. That's their answer. That's how you rehabilitate criminals—you get them to cut their hair. Just imagine how this is going to work. I presume you're going to have jail guards holding, shackling down, unwilling inmates who don't want to get their hair cut, while you've got Joe the barber trying to shave his head. It absolutely doesn't make sense. Why don't you invest some resources into hiring more jail guards? Why don't you hire more jail guards so that jail guards can be safe, so they're not at risk, so there's less violence in the jails? Why don't you invest some money in that?

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They get tough on squeegee kids. Of course. Let's arrest them; let's put them all away; let's get tough. Those dangerous squeegee kids are causing a real problem every day. Let's get rid of those squeegee kids. Real tough. I'm glad the Minister of Labour is here because I want to compare his approach to squeegee kids to his ministry's approach to collecting fines from deadbeat companies who don't pay the fines levied by the Ministry of Labour.

Let me tell you, they decided it was a great idea to outsource this, because they like to privatize everything. They sent it out to a private collection agency. Speaker, do you know what the record was on this last year?

Somewhere between 1% and 6% is this government's collection rate. They have no problem going after the single mom who may rip off \$50 from the welfare system to feed her kids: "Hey, we're going to go after you. We've got snitch lines. We've got investigators. We've got inspectors. We'll put you in jail. We'll take your home away."

But if you're a deadbeat company who gets fined by the Ministry of Labour and don't pay, "Oh, who cares?" There's some company who collects 1% to 5% of the fine. They don't get tough with their corporate friends. They don't get tough with pollution and criminals in those areas because that's their corporate friends. There's clearly an ongoing double standard on how this government deals when it comes to criminals, when it comes to their friends, when it comes to victims of crime.

Let's understand clearly, this government invested very little in preventing crime. They'd rather let them commit the crime, lock them up in jail, throw the key away and the hell with it. "When they come out, we'll deal with it."

You've taken money away from children's aid societies, from social service agencies, from counselling programs in schools, the types of activities and the types of services that prevent crime. You don't care about that, because that doesn't make the same headlines. It's not as great a headline to say, "We're going to support funding for social workers in schools to help kids," as it is to say, "We're going to lock them all up in boot camp," Camp Run Amok, and whatever else they bring in. It's not as sexy in the media. The headlines are not quite the same.

That is the problem with how this government is dealing with it. Their record is atrocious when it comes to dealing with this. I give credit to their public relations department. There isn't a government anywhere across North America that can spin a story better than this government when it comes to law and order.

Hon Chris Stockwell (Minister of Labour): Clinton.

Mr Agostino: No, you're even better than Bill Clinton, believe me, when it comes to spinning a story.

But as I've mentioned in these few minutes I've had, when it comes to gun control; when it comes to 12-year-old kids with guns; when it comes to helping jail guards, police officers, it doesn't match reality, and Ontarians are starting to understand that. This Victims' Bill of Rights amendment is something they should have done two or three years ago. It's one very small step.

We urge them—Dalton McGuinty and the Liberals have brought in a number of recommendations—to deal with the issues, to get tough on criminals, to get tough on drunk drivers, to support victims of crime, support women who have been abused and flee to shelters and need the help and the protection of government. But we've seen none of that. We've seen you pound your chest, talk tough, pretend like you're tough and then simply allow things to unfold as the Tories believe they should.

Their corporate friends get away with everything. Their corporate friends can do whatever the heck they

want. Squeegee kids get attacked. Welfare recipients get attacked. Victims of crime are left to stand by without help from this government. Then we get a two-page bill here as if this has all the answers. There were 71 recommendations in that report. Very few of those have been implemented. It is a disgraceful record by this government when it comes to helping victims of crime.

The Acting Speaker (Mr Tony Martin): Comments and questions?

Mr Christopherson: Thank you very much, Speaker. I'd like to compliment all the members of the official opposition, who pointed out a lot of problems with this, the least of which of course is the fact that it isn't much. For all the puffing over there on the part of the government members, you'd swear they were bringing in something quite revolutionary that was going to make a huge difference. That's all we have.

I want to point out in the short moment that I have, under "Explanatory note"—this is the note that explains what the bill is for. It says in part, "The office will advise the Attorney General on ways to ensure that the principles set out in subsection 2(1)"—it states it very specifically—"of the Victims' Bill of Rights, 1995, are respected...."

What did Justice Day say in May 1999? "I conclude that the Legislature did not intend for section 2(1)"—the very section referred to in the bill that's before us now—"of the Victims' Bill of Rights to provide rights to the victims of crime."

Premier Harris said in the 1999 campaign that he would bring in a Victims' Bill of Rights that had real rights. Instead we get this mockery, that it creates an office and one of the purposes of the office is to enforce the principles outlined in 2(1), after the courts have already said it doesn't have any rights in it.

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I think the public who may be viewing this tonight know that the NDP and the Liberals have no credibility on this issue whatsoever. You just have to look at the record during their terms in office. No government, I believe, in the history of this province has done more for victims or to improve public safety in the province of Ontario than the Mike Harris government, and the record stands up to that kind of scrutiny, there's no question about it. You can take a look at issues like the parole board and the way the parole board performed before the Harris government came into office. We've completely revamped the parole board. We release far fewer individuals to endanger the public than the Liberals or the NDP ever did.

When we talk about the boot camp for young offenders, the Liberals and the NDP opposed that very vigorously. We have much lower recidivism rates for the people graduating out of that camp than we have in the general system. They're the people who believe in rock climbing courses for young offenders. They're the people who believe in the Young Offenders Act and support the Liberal government of Canada and the current Young Offenders Act, which most Canadians are terribly

offended by, protecting young criminals, even young criminals who commit murder, who face a maximum of four years in the prison system and their identity is kept secret.

There was a column in the Toronto Sun today saying the victim of a young offender is afraid to attend school because the identity of the perpetrator of that crime is kept secret. The victim is afraid to go to school and the parents are afraid to send him to school because of the protections provided by the Young Offenders Act. The NDP and the Liberals in Ontario support the Young Offenders Act. The only party in this province that wants meaningful change is the Conservative Party of Mike Harris. This party is a strong law-and-order party, a party clearly committed to victims of crime, and we have a record to prove it.

Mrs Lyn McLeod (Thunder Bay-Atikokan): The members opposite, and perhaps in particular the member for Leeds-Grenville, like to become very passionate when they talk about how tough they are on lawbreakers, but as my colleagues have so eloquently pointed out tonight, they really don't walk the walk when it comes to dealing with the concerns of victims. It's very hard to find in the rhetoric opposite just exactly how the needs of victims are being addressed by this government in any real way.

I bring us back to what this bill is all about. This is a bill to amend the current Victims' Bill of Rights of 1995 by establishing the Office for Victims of Crime. The Office for Victims of Crime was established in 1998. It's 2000. What took them so long to bring in this piece of legislation, and why is this the only kind of action this government is prepared to take from 1998 till now? Why is it that this government thinks it needs to bring in a single piece of legislation to finally establish the Office for Victims of Crime, which it actually established in 1998, when in fact that same office has been carrying on working and made a series of recommendations in June of this year in a report titled *A Voice for Victims* and yet this government totally ignores the recommendations that were made by the very office that it's bringing in legislation to establish tonight?

It takes a long time to get a very little when it comes to victims' rights from this government, and I can't help but reflect that it took a very long time to get very little on the last victims' rights bill that this government brought in just a couple of weeks ago, which was the Domestic Violence Protection Act. I think back to 1995, when there was a big kerfuffle about the fact that some of us wanted to allow verbal abuse to be considered to be the kind of abuse, when found by the courts, that would allow the perpetrator to be removed from the house. Six years later this government finally brings in a bill to do just that, but it wasn't prepared to act until it thought the political climate would cool enough to allow it to do that.

2100

Mr Toby Barrett (Haldimand-Norfolk-Brant): I wish to point out to the member for Hamilton East that this government has allocated \$51 million to emergency

shelters and other services under the violence against women program, and that's just this year. We heard from our minister and the member for Leeds-Grenville that this government has done more to advance the cause of victims of crime than any other government. We have created the historic Victims' Bill of Rights which recognizes the needs of victims in the justice system. We have created the most comprehensive domestic violence court program in the country, and we have committed an additional \$10 million to the expansion of that program. We've announced the victims' justice action plan to further expand victims' services. This is a \$50-million commitment. We've doubled the victims' crisis assistance and referral service and the victim/witness assistance program, and there are plans to further expand these programs.

We have also hired 59 additional crown attorneys to interview and prepare victims and witnesses. We've partnered with the private sector to launch the SupportLink program to provide emergency wireless phone support to victims of domestic violence, victims of sexual assault and stalking.

Bill 114 will establish a permanent office for victims of crime, and it fulfills our budget commitment of \$1 million to establish this facility. I did not hear the members opposite make any mention of this particular program. This is clearly why we introduced Bill 114, the Victims' Bill of Rights Amendment Act. We have taken steps to protect victims' rights and to improve victims' services, and we will continue to do more.

The Acting Speaker: Response, the member for Hamilton East.

Mr Agostino: I thank my colleagues from Hamilton West, Haldimand-Norfolk-Brant, Leeds-Grenville and Thunder Bay-Atikokan for their response.

The former Solicitor General, full of passion, talked about the record. I understand that. I'm just reading a headline from March 19, 1996, "Tories Stand by Deal with the Devil"—Karla Homolka. Talk about the record. Their record talks about fewer police officers.

Hon Mr Stockwell: Where were all you Liberals at that pedophile meeting?

Mr Agostino: I know I hit a hot spot. Speaker, the Minister of Labour is out of control, because I know it's a really sensitive spot with them.

The Acting Speaker: The Minister of Labour will calm down and allow the speaker to make his points.

Mr Agostino: Thank you. When he talks about—

Hon Mr Stockwell: I'm sorry, I missed that.

The Acting Speaker: The Minister of Labour will calm down or he will be named here tonight.

Hon Mr Stockwell: I'm doing my best, Mr Speaker.

Mr Agostino: Talk about a historic bill of rights. This is the same historic bill of rights about which Judge Day said, "The act is a statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

Interjection.

The Acting Speaker: The Minister of Transportation will calm down as well or he'll be named.

Interjection.

The Acting Speaker: If the Minister of Labour speaks up one more time, he's out of here.

Member for Hamilton East.

Mr Agostino: Thank you, Speaker. I know you have a difficult time keeping the former Speaker in line, but I'm sure we're doing our best.

They want to talk about boot camps. This has to be historic. Do you remember the great announcement, the opening? I can imagine Minister Runciman's reaction at that time, when he got a call at 4 in the morning saying, "Guess what? They've escaped out of Camp Run Amok," and not only did they escape but the keys were in the van and the van was full of gas. Off they go. This is their tough law-and-order guy.

Interjection.

Mr Agostino: Exactly. The ribbon wasn't there when the minister showed up the next day. This is their big opening of Camp Run Amok. I'm sure it was a proud day in the history of this government.

Their reaction is clear. They're sensitive. When you bring out the real record of the Tories when it comes to this area, they get all bent out of shape. The Minister of Labour is red and popping out of his seat; the Minister of Transportation is out of control; the former Solicitor General is out of control. The reality is that they are soft on crime.

The Acting Speaker: Further debate?

Mr Christopherson: I'm not sure what kind of place this turns into when the member for Hamilton East is the only calm one in the whole place and we're all out of control, but I do agree with everything he said.

I want to pick up where I left off earlier in a number of two-minute responses because I don't think this can afford to be left. Oh, I'm sorry, I see the clock ticking away on a lead-off time. Excuse me, I made an error. I should have asked for a stand down of our lead-off debate by our critic, who couldn't be here this evening, to another time.

The Acting Speaker: Is there consent? Agreed.

Mr Christopherson: I should have thought of that before I insulted you so much.

Hon Mr Runciman: That's right.

Mr Christopherson: Thank you. I want to come back to the whole notion, though, that this bill is actually an amendment to an existing bill. The existing bill is the Victims' Bill of Rights that this government—you heard them tonight. You have heard the former Solicitor General and you have heard other ministers and backbenchers stand up and beat their chest and say, "We care about victims of crime more than anybody. You don't care about them, only us. You don't care about law and order at all, only us. You don't care about any of that stuff. You're soft on crime."

The only people in the world who care about innocent victims of crime are you. Give me a break.

That's not much ground to go on. Having said that, I give you the fact, and I agree with my colleague from Hamilton East, that you do very well at spinning that out in a way where people believe it. It's a shame, because I can't imagine a single member of this Legislature, a single member since I've been here, for over a decade now, who didn't care about the victims of crime, who didn't care and want to make sure that we had safe streets, that our police officers were supported in the job they do and that our laws reflect the kind of society we want.

You keep wanting to talk about reality, that the opposition is not in touch with the real world and let's get to reality. Well, reality is that a judge told you your Victims' Bill of Rights means nothing, and not one of you has stood up and responded to that this evening.

I've raised it a number of times, colleagues in the official opposition have raised it and not one of you has tackled it. Not one of you has said, "Oh no, that's not reality. Here's reality." It borders on obscene that you bring this bill in here tonight, Bill 114, An Act to amend the Victims' Bill of Rights, 1995, after the courts have said your Victims' Bill of Rights isn't worth the paper it's printed on.

Then to further say that this office you're creating—that's all this bill does; it creates an office. Whoop-de-do. Yet each one of you got up and talked about how important this was to ensuring the Victims' Bill of Rights is fulfilled and all that.

When you say in the explanatory note that "The Office will advise the Attorney General on ways to ensure that the principles set out in subsection 2(1) of the Victims' Bill of Rights ... are respected," you brought this in after the judge's ruling.

I want to read it again because it's amazing that you have the gall to do what you're doing here tonight. Two innocent victims of crime that you purportedly care so much about went to court to have the rights enforced that you said they had. Just so we know we're not talking about faceless individuals, because their names have been in the media, one was Linda Even who was stabbed repeatedly by her former common-law spouse and left for dead, and the other was Karen Vanscoy whose daughter was murdered in 1996.

Not opposition comments, not theoretical constructs—real people, real innocent victims of crime who went to court believing you, believing your Attorney General.

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And remember—I want to repeat it again, because I find it hard to believe that you had the audacity to bring this in here—this is what your Attorney General said—and I was a former justice minister. I know what it would take to give a Victims' Bill of Rights some meaning in terms of the depth of that bill, the money that you would have to commit to it, and so I am presuming that your Attorney General knew full well. You didn't do it, you didn't do it with your bill. What's worse is that you said you did and you didn't. That's what's really morally

corrupt here—absolutely morally corrupt. Your Attorney General—

The Acting Speaker: I don't think you can accuse the government of being morally corrupt. You'll have to withdraw that.

Mr Christopherson: I withdraw the unparliamentary remark, Speaker.

Your Attorney General stood in his place, December 13, 1995, and said, "This bill meets our commitment to Ontarians to bring forward a Victims' Bill of Rights, something we promised during the last election campaign and it'll bring, we believe, meaningful change to the way victims are treated in the criminal justice system." That's what you said; those are your words. It was called the Victims' Bill of Rights. Of course, you call a number of bills improvements—what was it, improvements to the protection of the environment, the Tenant Protection Act? Every one of these is an area where people who have expertise and know what's going on didn't know whether to cry or laugh when you brought in your legislation and gave it those labels. This is a prime example: Victims' Bill of Rights—bull.

You talked about how it's going to change things. Well, let me tell you, two innocent victims of crime, two Ontarians who went to court believed your Attorney General. She took him at his word, and when they went in to have their rights enforced, what did they witness? They witnessed your government send in your lawyers to argue in front of Justice Day that they didn't have the rights that they were there to have enforced, that those rights didn't exist. Your government lawyers, at your direction, went in and took on those innocent victims of crime, those two Ontarians, in court to say, "No, you don't have the rights you think you have," and you won the argument.

You stand up in the Legislature, the people's House, and you say, "It'll bring"—meaning the legislation—"we believe, meaningful change to the way victims are treated in the criminal justice system." And then you rolled in your lawyers to argue that they didn't have the very rights you stood up here in this place and said that Ontarians had.

The judge didn't end there. After having said, "I conclude that the Legislature did not intend"—not a misinterpretation or different interpretation, but "did not intend," meaning the language was that clear. How clear was the language? You keep saying often in debates that we're just blowing hot air over here. Let me tell you something: on December 13, 1995, Marion Boyd, our justice critic and a former Attorney General of the province of Ontario, stood in her place and said, "It is very important for people to understand that again, like in Bill 26, the government has made sure that all of this is meaningless by saying, 'No new cause of action, right of appeal, claim or other remedy exists in law because of this section or anything done or omitted to be done under this section.' What that means is that if a victim of crime finds himself or herself treated in a way that is inconsistent with these principles, there is absolutely no

recourse. There is no way, there is no appeal; there is no way in which you can do a complaint that is new under this bill." You knew that those rights weren't in there.

Ms Boyd went on to say, "I think we need to be sure that victims of crime do not think that this act gives them something that is going to automatically mean that the pain of their victimization is going to disappear; it won't." What did those two innocent victims of crime say after Judge Day's ruling? Unfortunately for Ontario, Ms Boyd was dead accurate in what she said would happen and what wouldn't happen.

Ms Vanscoy was the woman whose daughter was murdered in 1996. After the ruling, she said, "The reality is that we are no better off than had this legislation never been passed. In fact, we are worse off because this legislation sets up an expectation that we are protected from being revictimized by the criminal justice system when the reality is that we are not." You knew that legislation did not give victims of crime the rights that you said and yet you stood in your place and you said it anyway. Shame on you.

Then in 1999, during the last election, the Premier was called on this issue. He said, "I'm going to bring in new legislation that'll fix that." And what do we have? We have this insult, Bill 114, to create an office to enforce the rights as they exist in subsection 2(1) of the Victims' Bill of Rights, which the courts have said do not exist. Then the former Solicitor General has the audacity to stand and give us all of that rhetoric in his speech.

Judge Day didn't end there. This was about as clear-cut and as condemning a finding as you're ever going to see in terms of government action. Once again, "I conclude that the Legislature did not intend for" subsection 2(1) of the "the Victims' Bill of Rights to provide rights to the victims of crime. The act is a statement of principle and social policy, beguilingly"—not "innocently" or "ambiguously" or "unclearly" but "beguilingly"—"clothed in the language of legislation." Shame on you.

There's more. I have to tell you that I'm just so bothered, so sickened, so upset, probably more so than on many other issues, because it touches personal experience. I was a justice minister. I was involved in these kinds of issues. I understand the stresses and difficulties in trying to correct some of the weaknesses of our criminal justice system. What I have no respect for and what I have no time for is for you to stand in your place as a minister of the crown and deliberately mislead the people of Ontario into believing they have rights they don't.

The Acting Speaker: The member will have to withdraw the accusation in the House that the minister misled the people.

Mr Christopherson: I withdraw the language, Speaker.

To stand in your place and say there are rights in this law when there aren't—you tell me what that is. It's certainly not honesty. It's certainly not leadership.

And then I guess what really rubs it in is to have all the backbenchers stand up with their set-piece little speeches talking with their chests all puffed up. You

should see them all here, all so proud of themselves. "We did this and we did that, and we are wonderful," on a bill that amends a bill that has no rights, to set up an office to ensure that the principles set out in subsection 2(1) of the Victims' Bill of Rights are respected. Where's the respect in any of this? Where's the respect of the people of Ontario and, more than anything, where's the respect you owe the innocent victims of crime? Where's the apology? **2120**

When will the Attorney General of this government stand up and say, "I apologize on behalf of the government. What we did was wrong. We shouldn't have done it, and here's what we're going to do to put the matter correct"? Is that happening? No. We're witnessing the opposite. Not only do you not show respect to the people of Ontario and real victims of crime by standing up and apologizing and fixing what you've done; instead, you stand up and amend it by creating an office to enforce principles that don't exist, and you know it. You know it. We have said over and over and over—I've lost track of how many times we have stood up and said, "You say one thing here, words, names on a bill, titles of a bill, but out there in the real world, in the streets of our communities, it's a whole different reality." This is probably the most disgusting example, because it hurts people. You hurt people. You hurt innocent victims.

Again, Ms Vanscoy—and if I'm dredging up bad memories, I apologize. This is what she said after the ruling: "The reality is that we are no better off than had this legislation never been passed. In fact, we are worse off because this legislation sets up an expectation that we are protected from being revictimized by the criminal justice system, when the reality is that we are not."

This is a shameful, despicable act given the context and given the statements of Attorneys General from your government and given the action of your government sending in lawyers to argue against Ontarians having the very rights that your minister said they had. Shame. Shame on all of you.

The Acting Speaker: Comments and questions?

Mrs Julia Munro (York North): I think it's really important to remind not only the members here but those watching that those who have suggested that this piece of legislation is unnecessary because the office currently exists need to know that this is a piece of legislation to enshrine that office, to make sure that it continues and that it receives the kind of recognition that it deserves.

From the very beginning this government has been on record as recognizing the injustices that have been perpetrated, frankly, in many, many jurisdictions besides our province. The fact is that victims of crime were not treated with any sensitivity, any understanding, and frankly had to be victims twice: once at the hand of the perpetrator and secondly at the hand of the judicial system.

There are many steps that we as a government have taken. I recall very clearly the opportunity that was presented early in the last mandate when we set up the victim/witness assistance program and the number of

people in my community who spoke to the need to provide this kind of assistance. Today we have 26 of those sites across the province and I know they are manned by volunteers working with the police departments in their communities. There are 13 new sites planned. This is part of that recognition that victims do need support and they do need to be recognized. They need to be there right through the whole process to understand.

Mr Michael Gravelle (Thunder Bay-Superior North): The member for Hamilton West obviously is very frustrated, like so many of us are in the Legislature, and certainly our previous Liberal speakers as well.

What is so extraordinarily frustrating is to see a government that stands up and tries to talk about the kind of support they have for victims when we know what happened with the 1995 piece of legislation, a piece of legislation that, as has been pointed out more than once, was a sham itself. The government stood up at that time and acted like it was a significant piece of legislation, and five long years later they are finally amending that particular piece of legislation to make a permanent Office for Victims of Crime, which has actually been in place for two years.

The frustration is extraordinary, because they stand up there pompously talking about their care for victims of crime when indeed they absolutely had the gall five years ago to put forward a piece of legislation—and I will read this as well. Many members on our side of the House have felt compelled to do so because the government members will not speak to this at all. The Tory Victims'

Bill of Rights in 1995 was so flawed that Mr Justice Day actually had this to say about it: "The act is a statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime." It was absolutely a farce in that sense.

While we are pleased to see, finally, a piece of legislation come forward that we indeed can support on the basis of the fact that we need to make this office a permanent office, it's extraordinary that they would stand there and brag about their stand and support for victims of crime when they've taken so long to get to this place, let alone the fact that you have this document, *A Voice for Victims*, produced by the Office for Victims of Crime, with 71 recommendations, and almost all of them have not been implemented. It's an actual insult to the victims of crime.

The frustration is evident on this side of the House, certainly well expressed by the member for Hamilton West and expressed as well by us, because we believe very much in support for victims of crime, and to have a government stand here and brag about their position when it's taken them so long to get here is reprehensible.

The Acting Speaker: It being 9:30 of the clock, we will continue this process the next time this bill is called forward, if the member for Hamilton West is in the House to respond.

The House stands adjourned until tomorrow, Wednesday, October 25, at 1:30 of the clock.

The House adjourned at 2128.

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No. 95A

N° 95A

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 25 October 2000

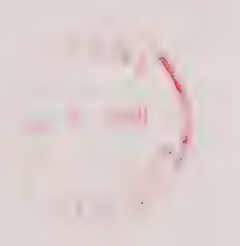
Mercredi 25 octobre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 25 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 25 octobre 2000

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

EDUCATION FUNDING

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Recently I had the privilege to visit North Addington Education Centre, nestled in the heart of Addington highlands in the picturesque community of Cloyne, home of Bon Echo Provincial Park. It is a unique school community that houses students from kindergarten to OAC under one roof. The school community has an enrolment of 464 students and, together with a very capable staff, they create a most familial atmosphere.

The school complex also serves as a centre for community activities, where young and old enjoy recreational sports, interest classes, clubs and community special events.

This school is very capably managed by principal Brenda Martin, who is an excellent curriculum leader and community builder. What is also unique about this school community is that it is twinned with another elementary school 45 kilometres north at Denbigh and they share the same principal. I was able to accompany Ms Martin to visit the 46 students who attend Denbigh and speak with members of the school council.

It is important to understand that the new funding formula has required the sharing of a principal, an integral role in every school community. The people of Ontario need to know that by restricting how school boards spend school administrative dollars, it means that smaller rural and remote schools have to share these key people. These schools deserve their own principals who are able to be on site and available for all their students and staff.

CHILD CARE

Mr Wayne Wettlaufer (Kitchener Centre): I would like to comment on a recently released report entitled "You Bet I Care." This report puts forward the perspective that many daycare operations in Canada and throughout the province of Ontario are mediocre. It provides as the basis for its conclusions a number of what are questionable statistics.

The conclusions of the report were predetermined by the political biases of at least one of the primary researchers, prior to any research having been undertaken. Members of this House might be interested to learn that the contact person whose name appears on the report's press release is a Ms McCuaig. Ms McCuaig has been a candidate for the Communist Party of Canada in federal elections in the 1970s and 1980s. When the Communist Party reorganized in the early 1990s, media reports identified Ms McCuaig as a central executive committee member of that party. She also signed an open letter in support of self-determination for Quebec earlier this year, using her current designation as a director of the Child Care Education Foundation. This lady appears to be committed to the breakup of Canada and to the Communist Party. She is hardly what could be considered an unbiased researcher. Add to this level of political bias the fact that the report was never open to scrutiny by research journalists trained in statistical analysis review, and the validity of the report becomes dubious at best.

The response to the report from the daycare operators in my riding has been one of disappointment and anger. Lori Darling-Paquette, a teacher at Owl Child Care Services, a Kitchener centre that takes in about 170 children, states, "It's degrading to the people actually putting in the effort ... of providing quality daycare services." Lynda Grammeros also complained. I think their efforts should be commended.

FEDERAL ELECTION

Mr George Smitherman (Toronto Centre-Rosedale): I want to acknowledge members from my riding who are visiting the Legislature today, and to use the remaining time I have to talk about the federal election campaign.

Settling into the flow as it is in these early days, I thought it was interesting that last night Brian Mulroney came to Toronto to prop up the fledgling campaign of Joe Clark. Talk about desperation. We've got a man Canadians continue to loathe who is the only one who can come to the rescue of the Clark campaign. But at the end of the day, I'm sympathetic to Joe. He's working hard and trying his best.

I also want to talk about Stockwell Day. Just a few days into the campaign, Stockwell Day's promises are extraordinary. Yesterday in St Catharines, Stockwell Day made a commitment that when he is elected he will reverse the flow of the Niagara River. Lyn McLeod's

riding and that of my other colleague from Thunder Bay will no longer be the Lakehead. Apparently he's got a plan to reverse these flows. It reminds one of the Rhinoceros Party commitment in the 1980s to tear down the Rockies to create jobs.

If that isn't enough, speaking about the brain drain, Stockwell Day went to a high-tech company in Ottawa to talk about this issue and highlight it, only to find that the high-tech operator had recently returned to Canada, a place he finds to be an excellent place for investment. Early in this election campaign, we learn that the net brain gain is in the province of Alberta, gaining as they are from Stockwell Day's absence from that province.

Mr John O'Toole (Durham): On a point of order, Mr Speaker: I request unanimous consent to wear this cord in respect to the fetal alcohol syndrome conference that's going on in Durham today.

The Speaker (Hon Gary Carr): Agreed? Agreed. Members' statements?

OPPOSITION PARTY

Mrs Tina R. Molinari (Thornhill): This year's Sydney Olympics ended a few weeks ago, but the equally exciting legislative Olympics here in Ontario are just reaching their midpoint. Of course there are the traditional events this government excels at, such as tax cutting—166 times; job creation—over 768,000 new ones; and funding health care—up \$4 billion, with more to come.

But recently some new events were added to recognize the special talents of our Liberal friends across the way. The duathlon, which combines the rhythmic clapping of the Liberal caucus with the artistic bobbing and weaving of its leader before question period, is a gold medal performance. The Liberals have set world records in the various backtracking from various past-policy stances events, such as on welfare reform and local amalgamation. And in an event that is rapidly becoming my favourite spectator sport, the Liberals have won a gold medal in the flip-flop floor routine for an unprecedented fifth year in a row.

Liberals have recently spent a great deal of time and energy encouraging Ontarians to donate their \$200 tax rebate to charity, but what, according to the Liberals, should our worthy charity be? Well, according to the Liberal Party's most recent e-news, the charity Ontarians should donate their rebate to is none other than the Ontario Liberal Party. Well done.

This hypocritical flip-flop is so big that I understand there's a move afoot to pad the clerks' table and the opposition's desks to prevent Liberal members from injuring themselves. The Liberals may not be up to the job when it comes to the traditional events Ontarians care about, but they are champions in their own right when it comes to hypocrisy and self-interest.

DEVELOPMENTALLY DISABLED

Ms Caroline Di Cocco (Sarnia-Lambton): I am once again bringing to the attention of the Legislature that we have a crisis in Sarnia-Lambton regarding developmentally disabled children and their families.

The Harris government changed the rules so that now there is no extra money to deal with crisis situations at the agencies, such as the Lambton County Association for the Mentally Handicapped, the Sarnia and District Association for Community Living, St Francis Advocates, and Christian Horizons. Program money has been eliminated and the funding is now individualized. The agencies in Sarnia-Lambton requested \$2.7 million, and yet Minister Baird provided only \$106,000.

Over 200 families came together last Thursday to address the fact that the provincial community and social services, because of the policies of the Harris government, is failing to assist them. These families with developmentally disabled children require the services provided by the underfunded and resource-strapped agencies. As these families age, the parents are dying, and there is now no place for their children.

Minister Baird is letting down these people who are the most vulnerable in our society. The plight of these families is heartbreaking. Dalton McGuinty and the Liberal caucus understand the real desperation facing these hard-working families who have given a lifetime of dedication to raising developmentally disabled children.

1340

WALKERTON TRAGEDY

Ms Marilyn Churley (Toronto-Danforth): Today we are privileged to have in the Legislature with us a group of OAC students from Walkerton. I see that Chris Peabody, their teacher, is with them. There may be another teacher, I'm not sure. If so, I'm sorry, I don't know his or her name, but I'd be happy to get that into Hansard later.

The students met with my leader, Howard Hampton, and my other colleagues in the NDP today to tell us a bit about what life has been like in Walkerton over the last five months. I am sure they are interested in hearing firsthand why this government let them down, their classmates and the citizens of Walkerton; why, after so many months, these students do not have a safe source of drinking water; why this government has refused to have public hearings on Bill 96, the Safe Drinking Water Act; why the Minister of the Environment calls research on providing safe drinking water "more red tape"; why, instead of answers and actions to Ontario's environmental crisis, all we get from this government is more talk.

I'd like to welcome these students to the Legislature, on behalf of all of us. Life has been tough on them and their families since the E coli breakout. But their presence here today reminds us of something else that's very important: there is much more to Walkerton than the tainted water. These students here today remind us of

that, that Walkerton is a thriving community, where people are living their lives very much like the rest of us. I congratulate the students today for coming down to see how the democratic process works in Ontario.

ORIN REID

Mrs Brenda Elliott (Guelph-Wellington): Today I rise in the House to pay tribute to a great constituent of Guelph-Wellington. Orin Reid was a pillar of our community, both as a homebuilder and in his private life as a philanthropist and a local leader. He suddenly passed away in August of this year.

Orin followed in his father's footsteps and established his business in 1978 and for more than 20 years has left a lasting mark on our city, on Wellington county and on Waterloo region. The Ontario Home Builders' Association named one of his projects, the Village by the Arboretum, the Community of the Year last year.

Orin always played a prominent role in the communities where he built. He was the chair of the Partners for Better Health fundraising campaign for both Guelph hospitals. He was an active member of Friends of Guelph, an organization dedicated to redeveloping parts of our city and bringing businesses to Guelph. Orin and his wife, Jane, often worked as missionaries in places like Haiti, and it was not uncommon for them to go to visit and take plane loads of supplies with them.

An obituary in the Toronto Star called him a "friend to the trees," and I couldn't agree more. Orin planted trees in many of his projects, and in fact more than 5,000 trees annually were planted by his company.

Since Orin has passed away, countless people have told me of his acts of kindness, stories Orin never wanted to be known but that people have appreciated and have quietly told each other around the community.

I know all members of the House will join me in extending their sympathies from the people of Ontario to Orin's wife and to their four children.

Often we commend people in this House. Orin was truly a great man and will be missed in my community.

NORTHERN HEALTH TRAVEL GRANT

Mr David Ramsay (Timiskaming-Cochrane): The Liberal caucus is sick and tired of the Harris government treating northern Ontario like a third-class colony up north. Their cancer treatment program is absolutely discriminatory toward northerners.

Here I'd like to present another example to the House today. Mr Elliot, a cancer patient in Iroquois Falls, was referred to his oncologist in Sudbury. Upon examining Mr Elliot, the oncologist said that he had to re-refer Mr Elliot to southern Ontario because he could not handle this type of complicated cancer case.

What Mr Elliot got was only \$121 difference to go down to southern Ontario. But if Mr Elliot had lived in Hamilton, where he was referred to, and was re-referred

up to Sudbury, he would get up to \$4,000 of food, accommodation and airfare for himself and a companion.

You tell me that's not discrimination. That's discrimination. We have two classes of citizens in this province, depending upon where you live. We're sick and tired of that, and we're not going to take it any more. This government has to change that policy.

Why do you have one policy for southern Ontarians re-referred to the north and another one for northerners re-referred to the south? That is wrong. You're discriminating based on geography. All Ontario citizens, regardless of where they live, deserve to be treated the same by their province. This government doesn't do that. You treat northerners like second-class citizens. We're not going to take it any more. We're going to demand our rights, and we're going to fight until we get equal treatment.

SENTENCING

Ms Marilyn Mushinski (Scarborough Centre): Last Thursday, the Leader of the Opposition, Dalton McGuinty, a lawyer by trade, rose in this House to state his belief that drinking and driving is a very serious crime.

He further shared his belief that second-time offenders should be doing time. Mr McGuinty says, "Do the crime, do the time." I couldn't agree more. Mr McGuinty says that judges are sending people to jail to serve intermittent sentences to be served on weekends.

Will the Leader of the Opposition demand that his federal Liberal buddies, now in the midst of a premature election campaign, get tough on crime? Will he demand, as our Attorney General and our Minister of Correctional Services have, that the federal government slam the door on intermittent sentencing?

Is the Leader of the Opposition prepared to force the Liberal government to amend the Young Offenders Act in a meaningful way so that perpetrators of violent crime do the time that they so clearly deserve? Is he prepared to support and assist Toronto police chief Julian Fantino in his search for truth in sentencing?

Quite frankly, I think the Leader of the Opposition is soft on crime, all talk and no action. Quite frankly, I believe Dalton McGuinty is just not up to the job.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Speaker, I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Sterling: I move that, notwithstanding standing order 96(d), the following changes be made to the ballot list for private members' public business: Mr Gerretsen and Mr Crozier exchange places in order of precedence, Mr Johnson and Mrs Munro exchange places in order of precedence and that, pursuant to standing order 96(g), notice be waived for ballot item number 46, standing in the name of David Ramsay.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

1350

ORAL QUESTIONS

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Premier. Premier, day after day for months now we've been reading petitions from residents of northern Ontario asking you to end the discrimination against northerners who have to travel to get medically necessary care.

Tens of thousands of northern residents have tried to express their frustration, their anger, their anguish that your government pays 100% of the costs of travel for cancer patients from southern Ontario while most cancer patients from northern Ontario receive a maximum of \$419 from the northern health travel grant.

Today we have 50,000-plus more names on petitions, and these are not just from northerners; these are from people all across Ontario who see how unfair and discriminatory your policy is. Some 92% of people polled across this province believe this kind of discrimination against northern Ontario residents is simply wrong, yet week after week, month after month, you and your Minister of Health have been attempting to justify this unfair treatment. Premier, will you finally stop this discrimination and end health care apartheid in this province?

Hon Michael D. Harris (Premier): I really appreciate the question and I appreciate the opportunity to respond because had I been asked the same question, with the same misinformation, in a survey, I would have responded the same as did the 50,000 or 60,000 people who were surveyed.

Your colleague the member from Timiskaming-Cochrane raised a case today where, if the facts as he states them are true, the person from southern Ontario would not be eligible for a penny, let alone 30 cents a mile. If the facts of the case are that it has to do with radiation for the prostate, or breast cancer, then the person from northern Ontario would be eligible for the full \$4,000.

I would be happy to make sure that the totally non-discriminatory services that are available for cancer care patients in the various regions of the province apply to every citizen. If your members would spend more time

doing that instead of spreading information that is simply not true, I think we'd all be better—

The Speaker (Hon Gary Carr): Order. I'll ask the Premier to withdraw that. You have to withdraw that.

Hon Mr Harris: Sorry. Instead of saying whatever you're telling them that's not the facts.

The Speaker: That's not good enough, Premier. You need to withdraw it. You need to say, "I withdraw it."

Hon Mr Harris: I withdraw.

Mrs McLeod: I assure the Premier that I will be sending a copy of his response to Julie Groombridge, Sheila Chalat, Judy Carrol, Eric Seigwart, Heather Curtola, Butch and Judy Carrol, and Dana Zahn in Thunder Bay. And I'll send it to Pat-Stewart Encil, Trevor Warren, Beryle Reynolds, Paul Difant, Janice Skinner, Sue and Dan Piche, Charles Windover, Tim Rice, Andre Fournier, Lisette Landry, Doug McMorran, Bruce Faddis and Monty Duff.

Premier, I want you to know that those people whose names I've just read all have three things in common: they live in northern Ontario; they have been faced with cancer, either their own cancer or cancer in their children; and they've had to pay out of their own pockets to get the care that they and their loved ones so desperately need.

This is not only discriminatory and unfair; this is illegal. You have set a standard for covering all of the costs of travel for cancer patients from southern Ontario. The Canada Health Act and the Constitution of this country say that this standard must be extended to all equally. I ask you again, will you end this discrimination against northern Ontario residents who have cancer?

Hon Mr Harris: If you would like to send me the information, I'd be pleased to take a look at it. If they were referred out of the northwestern Ontario district—we're very proud of the fact that, contrary to many areas of specialty, we now have excess capacity for radiation in Thunder Bay for the northwest and in Sudbury for the northeast. Unlike your government and the NDP, which seemed to say, "How many dollars can we spend to ship people to the centres of excellence in southern Ontario?" we took the approach that service close to home was most appropriate. So we've expanded services in Thunder Bay, we've expanded services in Sudbury and we now have the capacity to deal with northern Ontario patients right in northern Ontario, which is our first priority.

If there are patients that you reference who are being referred to southern Ontario, out of their district where we're trying to provide services, Cancer Care Ontario will pay the full cost.

Mrs McLeod: Premier, I hope you've just made a policy announcement, because what you have just said is not the case today. If what you have just said is about to be the case, we will welcome that 100% and so will every one of those people whose names I've just read into this record, because every one of them is a cancer patient who has had to travel to get cancer care and has had to pay for that care out of their own pocket.

You have two very different programs, Premier. Let me be clear. You've got a re-referral program that pays all the costs for cancer patients from southern Ontario who have to travel outside their home area to get care—you're planning, incidentally, to double the spending on that program this year—and you have the northern health travel grant program. You know that well; it pays only \$419 per trip no matter what your costs are. The only northern cancer patients who qualify for your gold-seal standard are those who need brachial therapy. The rest are paying out of their own pockets for care, and the communities raise funds to help those families whose children have cancer so they're not doubly devastated.

Premier, on behalf of all those individuals whose names I've read, all those ones you're going to hear about today, all the ones who didn't want to be mentioned, I ask you, have you just told them that you are going to cover all of their costs for cancer when they travel for cancer care?

Hon Mr Harris: The request has been to ensure that the same policy for southern Ontario cancer patients applies to northern Ontario cancer patients. If you live in southern Ontario and you require radiation for either breast cancer or prostate cancer—for those two forms, for which, quite frankly, we are not doing as good a job in southern Ontario of providing services as we are in the north—Cancer Care Ontario is reimbursing, on a temporary basis, every person in southern Ontario who is re-referred out until we can get services here in southern Ontario like we have in the north. Anybody in northern Ontario under the same conditions, that is, who is being re-referred out for radiation treatment for either prostate cancer or breast cancer—and those are the only people in southern Ontario who are eligible—will also be eligible for costs under Cancer Care Ontario.

Now, northerners do have another program available only to northerners. Pity, southerners say, but it does discriminate. Only in the north are you given a travel grant, regardless of whether it's cancer or what form of cancer or whether it's heart, if you have to travel 200 kilometres or more.

Mr Rick Bartolucci (Sudbury): My question is also to the Premier.

Janice Skinner from Sudbury, who has a rare form of cancer and has to be treated in Toronto, has made 19 trips, spending \$40,000, much of it borrowed. Paul Difant from Sudbury has to travel to Toronto for his treatment of leukemia. He's made 24 trips in the last year and a half, and it's cost him \$10,000. Sue and Dan Piche from Kapuskasing spent at least \$35,000 for travel, meals and accommodation trying to save their son Ryan, who was suffering from leukemia. Unfortunately and sadly, Ryan died, but the Piches are still paying the thousands of dollars they borrowed.

In stark contrast, southern Ontario cancer patients who have to come north receive full compensation for travel, full reimbursement for meals and full reimbursement for accommodation costs.

Premier, you have repeatedly gone on record as saying northerners like Janice Skinner, Paul Difant, Sue and Dan Piche and many others are receiving preferential treatment. Will you stand in your place today and tell those people how they're receiving preferential treatment?

Hon Mr Harris: If somebody in southern Ontario is referred for the same form of cancer to Sudbury or Thunder Bay, they get nothing. In northern Ontario, they get the same program you had, the same program the NDP had and the same program we have, which is the northern health travel grant, because they live in northern Ontario, a program not available to that patient with the same form of cancer who lived in southern Ontario. So there is some discrimination. They get some money, whereas in southern Ontario they get nothing.

Now, is it enough? Well, I would say to you in this case it clearly is not, and we have other forms of trying to help.

It is the same as you provided, it is the same as the NDP provided, and if you're now arguing that it's time to update the program and that this discriminatory program only available to northerners should be updated and reflect some increased costs, that is exactly what we are doing.

I appreciate that question and I appreciate the opportunity to explain that the only discrimination here is in favour of the north.

Mr Bartolucci: Premier, between 50,000 and 60,000 people all across Ontario don't agree with you. They believe that it's discriminatory policy. Legal experts are now telling you that you're in violation of three acts.

Premier, listen. Let's try to explain this very simply. Janice Skinner, Sue and Dan Piche and Paul Difant get 30.4 cents a kilometre, one way, for the treatment they have to get in Toronto, and there are many, many more. You know that.

People from southern Ontario get full travel costs, full accommodation and full meal costs if they have to go north for their cancer treatment.

Interjection.

Mr Bartolucci: Excuse me? That's the truth.

Premier, will you please tell the people of Ontario how there is any logic in your policy, which clearly discriminates against northern cancer patients who have to travel. Where is the logic in your program?

1400

Hon Mr Harris: The forms of travel for the cancers that you're talking about, in southern Ontario you get nothing and in northern Ontario you get 34 cents. Now, 34 cents may not be enough, and that's fair argument to take a look at. Now that we've balanced the books, now that we have the economy booming, are we able to do more and expand the program? I hope we can. We are taking a look at that and, I might add, as part of that review, we are looking at whether people in southern Ontario who travel similar distances ought to be entitled to a travel grant as well. I'm sure you would want to support that.

The facts of the matter are that when it comes to radiation treatment for breast cancer and for prostate cancer, we clearly are not doing a very good job of providing those services in southern Ontario. But we've done a marvellous job in northwestern Ontario and in northeastern Ontario, and we should be applauding that and trying to take that example now to southern Ontario.

Mr Bartolucci: You mentioned earlier that you'd love the opportunity to be able to explain that. Tomorrow night, you're going to be in Sudbury for your annual fundraising dinner. Gerry Lougheed Jr and I will be meeting with Janice Skinner, Paul Defant and several other cancer patients from northern communities at the same hotel as your fundraiser. In fact, it's in Georgian Room B, which is adjacent to your fundraiser.

On behalf of Ontarians seeking equal cancer care, I am inviting you to attend a portion of our meeting, which begins at 5 o'clock, to explain first-hand to those cancer patients how they are receiving preferential treatment. With due respect to your office, do you have enough compassion, enough conviction and enough confidence in your government's cancer policies to attend the meeting? Will you be our guest at this meeting to explain your position to cancer patients?

Hon Mr Harris: I appreciate very much the member's invitation to set the record straight and give the straight facts to those cancer patients in northern Ontario. My office, in fact, before your offer, has already offered to meet with some of the cancer care patients. I'm not interested in meeting with you—I'm happy to meet with you here—and Gerry Lougheed. I guess this is the Gerry Lougheed who today said this terrible situation started in March, 1999, before the provincial election. I guess this is the same Gerry Lougheed who wrote me on July 8, 1999, three months later, after the election: "Dear Premier Harris: I thought you'd be interested in Cancer Care Ontario's two-hour documentary *Cancer: The Journey Home*, televised on Sunday, June 27," etc. "I hope you enjoyed it. I hope you were inspired about our cancer issues. Have a great summer. P.S. Your government's doing an excellent job in regional cancer care delivery."

Interjections.

The Speaker: Stop the clock. Member for Hamilton East, come to order. New question.

Mr Howard Hampton (Kenora-Rainy River): Premier, with the presentation of a legal opinion today, the question becomes this: do you intend to force cancer care patients from northern Ontario to go to court to seek justice, or will you finally do the right thing? Will you recognize the injustice, and will you put an end to the cancer care apartheid that your government is responsible for?

The reality is this: every day cancer patients from across northern Ontario have to travel 500, 600, perhaps 1,000 kilometres to access cancer treatment. Meanwhile, patients from southern Ontario who need to access cancer treatment are being subsidized, compensated fully by your government. The same patients in northern Ontario don't receive that compensation. Are you going to

equalize the situation, Premier? Are you going to do the right thing or are you going to force people to go to court to get the justice they deserve?

Hon Mr Harris: There may be a lawyer's opinion you can get that says there is discrimination. Most likely it will be that southern Ontario people travelling the same distance get nothing and northern Ontario people get 34 cents a kilometre.

With regard to that program, we've indicated this is the program we inherited from you. You inherited it from the Liberals. It was discriminatory when it was brought in, because we didn't have the same services in northern Ontario. This was a way of compensating. We are reviewing that program. We are looking at the relevance of it. We are looking at: should it be extended to people at an equal distance from services in southern Ontario to change that discrimination and make it equal across the province? We are looking at the amount of compensation that could be paid. We think we are actually in a much stronger position to pay more than you were.

With regard to cancer care treatment, the two specific types of radiation treatment, for prostate and for breast cancer, about which Cancer Care Ontario has admitted, "We have some problems. We cannot provide the services in southern Ontario in a timely fashion, unlike in northern Ontario which is well-served"—

The Speaker: Order. I'm afraid the Premier's time is up.

Mr Hampton: You can try to fudge the issue all you want. You can try to muddy the waters all you want. The fact of the matter is you've got a patient like Donna Graham in Pickle Lake who has to travel six hours one way by car, often over an icy highway, to access cancer treatment. After she receives that cancer treatment, she then has to return back. She can't afford to fly. She can't afford to take any other means of travel. She has to drive because your government will not compensate her for the cost she has to incur to reach the cancer treatment.

Meanwhile, patients from southern Ontario who have to travel to access cancer treatment are being compensated fully by your government. That's the issue. Don't try to fudge it by comparing or contrasting it to something else. All Donna Graham wants, all she's asking for, is that you compensate her fully for her travel costs so that she won't have to take \$4,000 out of her own pocket just to pay to access the cancer treatment.

This is not a great deal of money we're talking about. You could find justice here without disrupting any of your tax giveaways, any of your advertising campaigns. Why won't you compensate these patients who have to undergo incredible hardship just to access cancer treatment? That's all they're asking for.

Hon Mr Harris: In the case of Donna Graham, we are giving her exactly what you gave her to travel to the same hospital for this treatment. We are looking at whether we can do more than your government did. We think we are in a much stronger economic position, thanks to the change from your disastrous policies that bankrupted the province, to actually do so. That's why

that program is under review. Our goal for southern Ontario is to get the equipment and the technicians so that nobody from southern Ontario has to travel out of their district and they won't get anything.

Mr Hampton: Premier, this is not about a recession. This is not about the fact that we're living in a North American economic boom now. This is about cancer patients. This is about people like Gladys Whelan, a pensioner who has to travel almost 400 kilometres by car to get to Thunder Bay and then back and who has to use part of her pension cheque. She has missed appointments with her cancer physician because she couldn't afford the travel costs. When she gets to Thunder Bay she encounters patients from southern Ontario who boast, "The government pays my full way here. They pay full air fare. They pay for my hotel. They pay for my taxis."

Fighting cancer is tough enough. It's even tougher when you know you're going to miss some of your appointments because you don't have the money to pay the travel costs. Then you get there and you find that the government of Ontario is paying the full shot, everything, for the person who is in the room beside you. Doesn't that bother you, Premier? Do something about it. Don't force these people to go through three- and four-year court battles to get the justice they deserve.

1410

Hon Mr Harris: They pay not a cent more or a cent less than when you were in government for treatment in northern Ontario. Quite frankly, we are reviewing the health travel grant that is there to see if we can pay more than you could. We've clearly acknowledged that we are reviewing this. This is a substantial budget item and it is something that we are looking at.

No program will ever cover 100% of the costs of being sick. We understand that. That's why the Cancer Society assists; that's why volunteers assist; that's why the communities assist in some of the exceptional circumstances. But our goal is to try to ensure that the people of southern Ontario get the same access to radiation in a timely fashion so that they do not have to travel to the centres that are there for those in northern Ontario. We are able to accomplish that goal—

The Speaker: Order. I'm afraid the Premier's time is up. New question.

Ms Shelley Martel (Nickel Belt): I have a question to the Premier regarding his ongoing discrimination of northern cancer patients. Premier, you were asked this morning if you would meet with cancer patients in Sudbury tomorrow night, and you said, "I don't know if they have requested a meeting. I'd be happy to explain it to them if the opportunity arises." The "it" refers to your latest spin that it's southern and not northern cancer patients who are facing discrimination.

The northern cancer patients who want to meet with you tomorrow night live that discrimination every day. They know that the Toronto or London or Hamilton cancer patient in the treatment bed right next to them in Sudbury or Thunder Bay has just had 100% of their travel, accommodation and food costs fully paid for by

your government, while they themselves can only claim a mere portion of the mileage if they live 100 kilometres, one way, away from the treatment centre. They know that they are paying hundreds and thousands of dollars out of their own pockets when they have to come to Toronto or Ottawa.

The question for you, Premier, is this: instead of lecturing cancer patients tomorrow night, why don't you end the discrimination and come and tell them you'll pay 100% of their travel costs too?

Hon Mr Harris: I appreciate the question. I don't know whether it's now your meeting or whether it's the Liberals' meeting. I can tell you that before either one of you invited me, I have offered—

Interjections.

Hon Mr Harris: You're right. As the Liberals yell and scream, you're right. It is the cancer patients' meeting, and I have offered to meet with them; not with you, not with the politicians, not with Gerry Lougheed, but with the cancer care patients, so I hope we can set up that meeting.

Ms Frances Lankin (Beaches-East York): Will you be there tomorrow night?

Hon Mr Harris: Well, since you're not involved, it doesn't matter to you when it is. We are making those arrangements.

But let me say this. This is the same member who in June 1990 said this: "The travel grant in this province," speaking about the Liberals, "is woefully and totally inadequate. This Minister of Health"—Liberal—"and this government have done absolutely nothing to change that in spite of the cases we raised in this House. None of the total cost for accommodation, for airfare, for wages lost when people have to take time to go with relatives in search of medical treatment is covered." That's what you said when they were in office. You did absolutely nothing for the five years you were in office. We have said, yes, we will take a look and see if we can pay more.

Ms Martel: The question was, Premier, will you end your discrimination against northern cancer patients and announce tomorrow night that you will fully fund northern cancer patients too? This situation has gone on for far too long. In early May, even your finance minister, who is sitting beside you, said that there was something very unfair about this situation. In the same week, your Minister of Health said that a review of this inequity would be done. Here we are over four months later. I have no doubt the review has been done and I have no doubt it hasn't been released because it clearly shows that your government is discriminating against northern cancer patients.

Your government announced several weeks ago that it was prepared to send more southern Ontario cancer patients for treatment in northern Ontario and the United States and fully pay their costs. If you've got money to send more southern Ontario patients away for treatment, then you have money to fully pay the costs for northern cancer patients too.

Premier, when will you end your discrimination? When will you pay 100% of the costs for northern patients too?

Hon Mr Harris: I intend when I meet with cancer patients in northern Ontario to explain to them the program so they have the actual facts. I intend to explain to them that in 1990 your leader, Howard Hampton, said this: "Over the past eight months southern Ontario patients who have been referred to Thunder Bay for specialist treatment have received full funding of their airfare, hotel accommodation and meals from the Ministry of Health."

I intend to point out that the Liberals did that, I intend to point out that your leader pointed that out, I intend to point out that the five years you were in office you did nothing to correct that, and I intend to point out that, yes, we have rapidly expanded cancer care treatment in northern Ontario, to the extent that the services there are now better than in southern Ontario. I intend to also point out that I hope we are able, finally, to get radiation treatment available in southern Ontario in a timely fashion as well.

But I certainly intend to point out to them that this problem was there under the Liberals and you did nothing for five years to correct—

The Speaker: The Premier's time is up. New question.

Mr Michael Gravelle (Thunder Bay-Superior North): My question is to the Premier as well. I want to tell you a heartbreaking story, one that I hope will touch you and one that was clearly made worse by your discriminatory health travel policy.

A five-year-old Thunder Bay boy was diagnosed with acute lymphoplastic leukemia in 1999. Because our regional cancer centre has no pediatric oncologist, there was no other option but to immediately send him to Sick Children's Hospital in Toronto.

Over the next 14 months he and his family travelled between Thunder Bay and Toronto on numerous occasions, with extensive periods of time spent in Toronto. The emotional and physical strain on the family was obviously enormous, and was compounded by the overwhelming financial burdens placed on the family. Despite help from the Canadian Cancer Society, all the family's life savings were spent and their house had to be remortgaged. All in all they spent over \$18,000 of their own money.

This past June, this brave little boy died.

Premier, my question to you is simply this: how can you justify denying this family full financial support as they fought to save their little boy's life?

Hon Mr Harris: Let me say that when we get circumstances like this—and with all the best intentions and all the government policies and travel grants and health care in the world, we still have examples like this—this is tragic, and surely this cries out for leadership within the community. If you're doing something to personally help, I'd be glad to assist you.

Mr Gravelle: I truly believe that no health care story better illustrates the cruelty of this government's travel

grant policies than the one I have just told. It's simply unconscionable that northern patients are being treated as second-class citizens of this province, which is what happened in this case. Let's be honest: this differentiation between referral and re-referral is absolute balderdash in this particular case.

I sent the Minister of Health this letter last weekend from the mother of this little boy. She and her family deserve to be treated better by this government, as do the many other northern patients who have been discriminated against.

Premier, will you write this family back? Will you tell them that you will meet with them and talk to them about this, and will you also tell them you will stop this discrimination against northern patients?

Hon Mr Harris: No patient anywhere in the province is given anything other than 34 cents, unless they live in northern Ontario, for travel for that form of cancer. So there obviously is not any discrimination. Is 34 cents enough in this case? I think in the case of this family you would argue it is not. Is there to be a government program that covers 100% of all costs, including wage loss? I don't know. Your party didn't propose it. Are you advocating that now? The NDP had an opportunity to criticize you when you did exactly the same thing. If southern Ontario patients were re-referred, you paid 100% of the costs to go to Thunder Bay. That was the gist of Howie Hampton's question to you in 1990.

But I tell you, there are individual cases that no government program is going to be able to address. If you would like to assist me, or for me to assist you, in how we can get together as a community, as humanitarians, to assist in this case—

Interjection.

Hon Mr Harris: If the member from Thunder Bay, your co-member, doesn't want to hear this, I'm sorry. If she doesn't treat the issue seriously, you and I will go ahead—

Interjections.

The Speaker: Order. The Premier's time is up.

1420

POST-SECONDARY EDUCATION

Mr John O'Toole (Durham): My question today is for the Minister of Training, Colleges and Universities. My question concerns your announcement last week of the Post-secondary Education Choice and Excellence Act.

In addition to other improvements, the legislation would provide for the creation of private universities in Ontario. While I agree with giving students more choice, post-secondary education is, as you know, important. It is essential that we maintain high standards, like those at Durham College and University Centre in my riding. People like president Gary Polonsky, board of governors chair Terry Hing, and student president Will Ellis are leaders in post-secondary education in Ontario. Just recently, in fact, Durham College raised \$15.7 million in

a capital fundraising campaign. It also is the only college in Canada to offer ISO standards.

The reputation for excellence that is enjoyed throughout the province in public institutions like Durham should be preserved and expanded. Minister, what steps does this legislation take to ensure that new private institutions will offer high-quality programs to Ontario's students?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): In response to my colleague from Durham, who is always a great spokesperson for his college as well as all of his constituents, I want to assure everyone in this Legislative Assembly that quality is the trademark for post-secondary education in this great province and in this country.

In order to establish and maintain and increase our reputation with regard to quality, we will establish a quality assessment board for post-secondary education. This body will assess all new applications to create private degree-granting programs in the province, as well as applied degree programs. They will look for the demonstration of both the quality of the program and the ability of the institution to provide degree-level education and to assure our students that they will be protected in the event of closure.

Mr O'Toole: Thank you, Minister, for that very detailed and, I might say, thoughtful response for me personally. I know of your commitment to post-secondary education. Some of our critics, however, are trying to frighten Ontarians by telling them that, under the North American free trade rules, allowing private universities will force us to surrender control of our provincial educational policy. Some critics have even argued that under NAFTA the province would be required to extend the same benefits and funding to private universities as we would to public universities.

Minister, this sounds like another example of empty Liberal or NDP posturing to me. Can you respond to these claims and assure Ontarians that NAFTA or other trade agreements do not threaten our quality post-secondary education system?

Hon Mrs Cunningham: It's absolutely important for the members of this Legislative Assembly, when they get these kinds of questions, to understand that both our Minister of Economic Development and Trade and the federal Minister for International Trade have assured all provinces across this country that our post-secondary education programs, our social programs and our medicare systems will not be up for negotiation during the next round of World Trade Organization negotiations. We have all been reassured, especially by our federal Liberal colleagues, so please do not let your party down in this regard.

I will say that we in Ontario retain the authority to set educational policies for our citizens. No one should be discouraged or confused about Ontarians having control of our post-secondary education.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have a question for the Premier. It's about access to quality health care here in the province of Ontario. It's about distance and geography being a barrier to access to quality health care in Ontario. I represent a constituency of the rural north, of the small towns of northern Ontario: Hornepayne, Wawa, Dubreuilville, Meldrum Bay, Iron Bridge. These people deserve to have quality health care.

When access in southern Ontario was not available for certain types of cancers, your government decided that they would pay the full expenses for those people to go north. In northern Ontario, where certain kinds of cancer cannot be treated, those people do not receive the same consideration. Why is that?

Hon Michael D. Harris (Premier): Certainly any patients in northern Ontario who require radiation for prostate cancer or for breast cancer, if they cannot get it in northern Ontario, in the northwest or the northeast, we do carry on the Liberal program to pay their costs to the other jurisdictions.

I guess I could ask you why, for the last eight months of your office in 1990, southern Ontario patients who were referred to Thunder Bay for specialist treatment received full funding of their airfare, hotel accommodation and meals from the Ministry of Health. The NDP thought that was shocking, but when they were in office they did the same program. We're not happy either that people from southern Ontario have to be referred out of their district, but as an interim measure we are doing the same thing as they did and you did. Surely, the first choice is to make sure that those patients in southern Ontario get the treatment close—

The Speaker (Hon Gary Carr): Order. The Premier's time is up.

Mr Brown: That's exactly the point. In northern Ontario we deserve to have quality health care delivered as close to us as we possibly can. We know that in Sault Ste Marie 50% of the specialists you say should be there, aren't there. We know that in Sudbury one third of the specialists you say should be there, aren't there. Our people are denied that service.

In some ways we understand that there needs to be a critical mass, there needs to be room somewhere in the province. But we need access to that. If you can't improve the service in our communities, then the least you can do is take away the geographical barrier that is there. Why, again, can we not have the same treatment as southern Ontario patients who need to travel long distances to access care? Why can't we have the same program? Why is it different?

Hon Mr Harris: You have exactly the same program and all northern Ontarians have exactly the same program as those in southern Ontario have when they're referred out.

But I appreciate, really for the first time, your acknowledgement that the goal is to provide the services as close as you can. I think you would acknowledge that,

in the cases you're raising, of radiation therapy, we're doing a better job in northeastern and northwestern Ontario than we are in southern Ontario. Why is that? If you look at other areas, if you want to talk about services closer to home, no government has done more to provide these services. I can give you a list: \$310 million toward health services structuring in northern Ontario, 138 specialists recruited in northern Ontario; general practitioners, family physicians recruited in northern Ontario; \$14 million on emergency room alternative payment plans; responding to McKenry's report.

That's been our goal: get these services into both northeastern and northwestern Ontario. I hope we can—

The Speaker: Order. The Premier's time is up.

COMMUNITY SAFETY

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Attorney General. Minister, as a result of the federal election, which some regard as far too early and completely premature, federal legislation relating to justice has died on the order paper. Constituents in my riding of Scarborough Centre consider that community safety is a top priority and I'm wondering if you could tell the people of Ontario how the calling of an early federal election will affect them.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank the member for Scarborough Centre for her question. The federal government has shown a remarkable lack of vision and an inability to act on justice issues. They ignored us on the Young Offenders Act and produced an ineffective act. They promised serious penalties for those who stalk victims or invade their homes, and failed to deliver. They did not care enough about women's justice issues and let their inadequate legislation die.

We have also asked the federal government to intervene and bring justice to the native peoples of Ontario who suffered in residential schools. They've failed to tackle this issue in an acceptable manner, preferring to litigate, to threaten bankruptcy to the churches and to confer no benefit on the persons who attended the residential schools. They failed to pass legislation allowing judges to impose consecutive sentences of up to 50 years without parole for multiple murder or sexual assault.

We have offered solutions. They have failed to deliver.

1430

Ms Mushinski: Clearly, the recent actions of the federal Liberals are quite shameful. Obviously, like their provincial cousins, they've failed to get the job done. I'm curious to see if the federal Liberals will meet the same fate their Ontario cousins did in 1990.

The Attorney General, in his closing remarks, mentioned he has offered his help to the federal government on many occasions. Would the minister please expand on his earlier points.

Hon Mr Flaherty: We have offered our help and insight on many occasions to the federal government. We

have listened to the people of Ontario. We have acted on their issues. We've called on Ottawa to get tough on youth crime. We've said they should lower the age at which a person can be charged with a criminal offence to age 12, toughen sentences and send a message to young people and make it easier for crown attorneys to transfer young offenders to adult court. Clearly, they don't care. They've failed to act. We passed the Parental Responsibility Act, which holds parents accountable for the actions of their children.

As I said, the federal government has failed to protect women from stalkers and people who invade their homes. We called on Ottawa to create new criminal offences for home invasions. We have called for tougher sentences and for mandatory sentencing guidelines. Where they have failed, we have acted.

NORTHERN HEALTH TRAVEL GRANT

Mr Tony Martin (Sault Ste Marie): My question is for the Premier. Last week, you came to Sault Ste Marie and told my constituents they should just stop whining, that if there was any discrimination going on where cancer care is concerned, it was to the constituents of southern Ontario. Was that just plain ignorance, or is it just more of your arrogance?

Hon Michael D. Harris (Premier): I appreciate the calm, cool language and demeanour of the member—typical of his party, I might add.

Let me say that you seem to be concerned about a situation that your leader and your critic raised with the Liberal Party when they were in office. For five years, when you had the opportunity to do something, you not only didn't do anything, but you tightened up the criteria and made it more difficult—in fact, refused to pay for some people travelling from northern Ontario to southern Ontario. Even the health travel grant, as I recall, you were tightening up. That was the NDP response: no increase in mileage, no concern at that time for the issue that you're raising now.

We are concerned. We are very concerned that people in southern Ontario are not getting radiation treatment for breast cancer or for prostate cancer in a timely enough fashion—

The Speaker (Hon Gary Carr): Order. The Premier's time is up. Supplementary.

Mr Gilles Bisson (Timmins-James Bay): What takes the cake is that we've got a northerner standing here in the Legislature telling us we're a bunch of whiners in northern Ontario and that we should feel sorry because people in southern Ontario don't have health care services. What hogwash.

Premier, if you're sick in Toronto and you need cancer treatment, it's only a matter of jumping on the subway and going down the street, but if you're living in Wawa, Moosonee or Dryden, there's no subway and, in many cases, no airplane. The only way you can get in is to get in your car and drive.

What's so disappointing for us is that the Premier, who comes from northern Ontario and should have some sympathy for northern issues, completely refuses to do anything and in fact is the one who has created this discriminatory policy. Premier, on behalf of all northerners, I ask you this: When will you remember where you come from and for once act in the best interests of northern Ontario and fix this problem?

Hon Mr Harris: You're right. The northern health travel grant is discriminatory for northerners, not southerners, because it is greater distances and we do have to travel greater distances. We understand that when we choose to live and have our principal residences in the north, as I do, as you do and as many do. We understand that when we live in remote northern communities there will not be a world-class cancer care hospital right there in the middle of Wawa or of Pickle Lake and we'll have to travel for some of those services. That's why, I think, the Liberals brought in the program. I assume that's why, although you tightened it up and made it more restrictive, you carried on the program, and you did not bring in any increases. That's why we are reviewing the program now, to see if the time has come to enhance the program. We're quite happy to receive advice and input—

The Speaker: Order. The Premier's time is up.

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): Very recently we got, under freedom of information, our first glance at how much taxpayer money you are spending to defend yourself in the civil case brought by the George family in the death of Dudley George at Ipperwash. Just to mid-January—and this is the first few weeks you used this outside lawyer—we're told you spent \$130,000. We estimate that has now gone to perhaps \$500,000; we'll find out later.

This expenditure is unnecessary. The George family has said to you that the civil action is not necessary if you would commit to holding a proper public inquiry. This is very straightforward: you commit to holding a public inquiry—no one's right to a fair trial would be jeopardized, because that inquiry need not start until that happens—and you would save taxpayers hundreds of thousands of dollars.

Will you make that commitment today, Premier? Commit to a public inquiry to begin as soon as possible, when no one's right to a fair trial is jeopardized, and save the taxpayers hundreds of thousands of dollars, and we would finally see some justice in this province.

Hon Michael D. Harris (Premier): I think the very matter for which you are asking for the inquiry would probably cost several million dollars, and those very questions are indeed the same questions that are being dealt with in the lawsuit.

You're quite right: there are lawyers' expenses which are being paid. I can tell you that doing this is not cheap and that the majority of the costs are being paid by the

government's insurer. Unfortunately, that is the cost of being in public office today.

Mr Phillips: What you just said was that you are treating the civil case essentially as the public inquiry; it will handle the same issues. The difference is that the George family does not have access to your millions of dollars to defend themselves. They don't have millions of dollars to get at the truth.

What should happen is that you should commit to a public inquiry so we get the truth, so we don't get you, with your millions of dollars of high-priced Bay Street lawyers, taking on the Dudley George family with their relatively modest means.

Again I say to you, Premier, do the decent thing today. Say, "I am committing to a public inquiry. The inquiry will begin as soon as no one's right to a fair trial is jeopardized, and finally we will see some justice." Will you do that today, rather than trying to bankrupt the George family?

Hon Mr Harris: I am not taking the George family to court, and I don't choose to be in court. They are taking me to court, and a number of other defendants and the government. I don't think there is any need for that. I have already committed, of course, that when the trials are over I would ensure the information would be made available, one way or another, if it comes through the trials or whatever is there. I think that's the appropriate time. In the meantime, I and other defendants are defending ourselves. As I have indicated, most of our costs—I can't give you the exact amount—are being picked up by the government's insurer. Some of those costs are being recovered, because a lot of the allegations are frivolous and we're winning all those in court, and costs are being assigned to that party.

1440

WALKERTON TRAGEDY

Mr R. Gary Stewart (Peterborough): My question is to the Minister of the Environment. Today in the gallery, as has been mentioned, we have a group of young citizens from the Walkerton area who I believe have been most inconvenienced because of difficult circumstances there over the last couple of months. Many of us who live in rural Ontario have experienced not having water from time to time because of pump failures on the farm or power failures or whatever it might be. We definitely know what it is not to have the convenience of being able to turn on a tap or get on the handle of a pump and get water. Could you tell me what you are doing to get the water back on in Walkerton?

Hon Dan Newman (Minister of the Environment): I also want to welcome students from Walkerton here to the Legislative Assembly of Ontario, and to share with them and all Ontarians what we've done in Walkerton.

To date, we have replaced 4.6 kilometres of water mains in Walkerton. The pipe replacement is complete and work on the service connections is continuing. We've issued orders to stop using well number 5, as well

as ordering a hydrogeological study in areas surrounding the other wells. The Ontario Clean Water Agency is installing the interim filtration system, which will be put in place by October 30. Every house and every building in Walkerton has been sampled as part of our confirmation program to ensure the efficacy of the house-to-house decontamination. We continue to provide an alternative supply of water for local and long-term care facilities, the hospital and the jails, with water trucked in daily from nearby Hanover.

Mr Stewart: Certainly, I believe the province has been extremely responsible and receptive to this problem that was created. I think that all Ontarians have to take some responsibility ourselves to make sure that on our own property, whether it be in the rural or small urban, that we do the water testing for our own wells.

I think most important of what these young people are interested in is the very basic question: when will the water be turned on?

Hon Mr Newman: I want to say to the member from Peterborough that we've been working hard in the Ministry of the Environment on this very important issue. Once the work in Walkerton is done, we'll provide our final report to the local medical officer of health. It is up to the local medical officer of health to determine when the boil-water advisory is lifted. After all, he was the individual who put the boil-water advisory in place.

We all recognize that the people of Walkerton have been through a lot and are tired of the disruption in their lives. We have to make sure that the water in Walkerton is clean, safe and secure from source to tap.

I want to share with everyone just what the mayor of Walkerton has said about this government. This is what he said on August 17 this year: "From day one, Premier (Mike) Harris, the Minister of Environment Dan Newman, the Attorney General (James Flaherty) and the Ontario support team have done whatever it takes to restore clean"—

The Speaker (Hon Gary Carr): The minister's time is up. New question.

TENANT PROTECTION

Mr David Caplan (Don Valley East): My question is for the Minister of Municipal Affairs and Housing. Dalton McGuinty and Ontario Liberals have real concerns about your proposed amendments to the Tenant Protection Act contained in Bill 119. It's clear to me that you had one thing in mind when you proposed these amendments and that's to further restrict access to justice for Ontario's tenants. It's easy to see why and how you're doing this. You're making it easier and easier for landlords to get evictions without having hearings.

Let me give you an example of how this works. You're changing the law to allow tribunal staff, not adjudicators, to sign default orders. This is like saying that a court clerk can issue a verdict without a judge ever having to hear the issue. Default orders in 1998 were

56% of the cases. In 1999 it was 61%. This year it's 64%. It's only going to get worse when Bill 119 goes through.

Why don't you just come clean? Stand in your place in this House today and tell us why you've decided to pick efficiency over justice for Ontario's tenants. Tell us why, when people's homes are on the line, you've decided to opt for speedier paper-pushing over protecting people's rights to stay in their homes and have a fair hearing.

Hon Tony Clement (Minister of Municipal Affairs and Housing): I'd be pleased to answer the honourable member's question. The fact of the matter is that nothing has changed. This piece of legislation is bringing the Tenant Protection Act into complete concordance with the former Landlord and Tenant Act that his government promulgated and introduced in this House. Under the Landlord and Tenant Act, the officials were allowed to designate staff—staff like the registrar, who is a civil servant, not an adjudicator—and to issue default orders. This merely brings it into line with the Liberal position when they were the government. So are they flip-flopping now or did they flip-flop then?

Mr Caplan: The minister really should read his own legislation. I have a copy of KPMG's operational review of the Ontario Rental Housing Tribunal. They made several suggestions and I want to remind you about them.

On page 25 they said, "As applications move through the process, more time and expense is invested in the resolution. Hence the most costly applications are those that proceed all the way to the hearing stage of the process."

They go on to say on page 30, "The default process is one of the main mechanisms the tribunal has to resolve disputes quickly." It goes on to say, "The tribunal is currently not using this mechanism to its fullest advantage."

In other words, the Harris government can save time and money by denying tenants the right to access justice and have their cases heard by a tribunal. It's clear when you read this report and when you see Bill 119 that you have taken the suggestions to heart. It's clear that instead of making changes that would ensure that tenants have a chance to exercise their rights, you have done the opposite. You have guaranteed that thousands more Ontario tenants will lose their right to a hearing, to stay in their homes, because of efficiency and to save money. Why don't you stand up for them today?

Hon Mr Clement: Nothing could be further from the truth. Indeed in 1998, under their legislation, actual requests to evict a tenant were 4,077. Under our legislation, actual requests to evict a tenant went down to 4,054.

The honourable member likes to read the report. Let me read another section of the report for the honourable member: "A significant finding of the operational review is that the landlord and tenant groups are generally satisfied with the existing service delivery. Clients prefer the tribunal process because it is less formal, provides greater access and is more user-friendly."

I want to ask the honourable member something. We're for the tenants who pay their rents on this side of the House. We're for the tenants who are law-abiding

and deserve quiet enjoyment on this side of the House. What side is that party and that member on? That's what I'd like to know.

McMICHAEL CANADIAN ART COLLECTION

Mr Ted Arnott (Waterloo-Wellington): My question is for my honourable friend the Minister of Citizenship, Culture and Recreation and it concerns her Bill 112, An Act to amend the McMichael Canadian Art Collection Act, which I understand has passed second reading in this House and is currently before a standing committee.

It's my understanding that this bill restores the spirit and understanding of the government's original 1965 agreement with the McMichaels, who generously donated their Group of Seven collection to the people of this province. The government is keeping its word.

There are some reports, however, that leave the impression that the province might be swamping the Canadian art market by disposing of the modern art that is currently held at the McMichael Canadian Art Collection. Surely the minister is not planning a fire sale of this type. Would she please clarify this point for the House?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member from Waterloo-Wellington for the question, and I appreciate the interest he has taken in the McMichael art gallery along the line.

Let me say that we entered into this bill, Bill 112, as a result of this government believing that if you make a commitment, if you make a promise, you have to keep that promise. So the legislation restores the gallery back to its original mandate of collecting and displaying the Group of Seven and contemporary artists who have made a contribution to the development of Canadian art in the province.

That certainly is something that's been raised and nothing could be further from the truth when we talk about the fire sales that may happen at the McMichael. That is just not the truth. The art acquisition committee looks to see what art the gallery should be collecting and the board decides how it will be acquired and how it will be sold within the gallery. The board has the say with respect to that. The board is headed by David—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary.

Mr Arnott: From the minister's answer, it certainly sounds clear that although the gallery's collection is currently before the board, it will be looked after professionally. However, there seems to be some feeling in the cultural community that one of the effects of this bill is to exclude gallery professionals and other staff at the McMichael from providing input into the gallery's decisions. Can the minister speak to this issue?

Hon Mrs Johns: As a result of the committee hearings in the last week or two, we have heard that a number of people are concerned about this very issue, that

volunteers and the people who work at the gallery may not be asked for their opinion with respect to this. From that standpoint, today we intend to put forward an amendment that says that the volunteers, the trustees, the employees, will be able to be asked by the board to contribute to any committee. They'll be asked to give their valued opinion. We think that will clarify anything that's been raised in the committee.

1450

We all agree, of course, on all sides of the House that it's important to have the involvement of staff and volunteers in decisions. We will clarify that today by putting forward an amendment that ensures that if the board thinks they need additional help, they can ask those members to help them with that—not a voting share, but certainly they'll be able to give input.

We appreciate the involvement of everyone who came forward to the committee. We appreciate the work that's been done on that. If all the amendments are accepted and the bill is passed, we think we'll have a good bill to move forward to make sure that we keep the promises we've made and that we also make sure it has financial stability for years to come.

The Deputy Speaker (Mr Bert Johnson): The time for question period has ended.

Mr Howard Hampton (Kenora-Rainy River): On a point of order, Mr Speaker: I want to advise the Minister of Health that one of the patients whose case I raised in this legislature over a month ago, Donna Graham, has now passed away. That's the real tragedy of this and—

The Deputy Speaker: That is not a point of order.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This is a petition to the Ontario Legislature. It was collected by Hazel Rouleau, who is adamant about—

The Deputy Speaker (Mr Bert Johnson): Order. There's an opportunity, if you want to talk to somebody except me, to do it outside voluntarily for the next minute. If it's not voluntary, then I'll help you. I will have order in here for the member who has the recognition from you to speak.

Mr Bartolucci: Again, this is a petition to the Ontario Legislature, and these names were gathered by Hazel Rouleau, who is passionate about this issue. It concerns northerners demanding the Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers the reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC, (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

Of course, I affix my signature to this petition.

Mr Tony Martin (Sault Ste Marie): "Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I sign my signature to this, and I'm going to give it to the page from Sault Ste Marie, Cameron Dutchak, who's going to deliver it to the table.

EDUCATION REFORM

Mr R. Gary Stewart (Peterborough): I have a petition that was given to me by the Thomas A. Stewart Secondary School parent's council and the community. I will just summarize it.

"Whereas numerous bills, introduced over the last few years, intended to reform and to substantially improve the quality of education, for the future of Ontario, have been significantly deficient in doing so; and

"Recognizing that, especially during a time of change, support services such as operational computers, accessible research centres (libraries) and adequate personnel support must be provided."

There are a number of changes they'd like to see to Bill 74, which is actually the law of this land.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This has been signed by another 126 concerned constituents who believe it is time to end the discrimination against northern residents.

FRAIS DE TRANSPORT AUX FINS MÉDICALES

M. Gilles Bisson (Timmins-Baie James) : J'ai ici une pétition signée par beaucoup de personnes de la région du nord de l'Ontario qui dit :

« Les gens du nord exigent que le gouvernement Harris mette fin » à la matière des soins de santé faisant affaire avec the northern travel grant.

« Attendu que, d'une part, le programme de subventions accordées aux résidents du nord de l'Ontario pour frais de transport à des fins médicales offre un remboursement partiel au taux de 30,4 cents par kilomètre » à sens unique seulement, « à l'intention des personnes atteintes de cancer, et que, d'autre part, la politique de déplacement pour les gens du sud de l'Ontario rembourse en entier les coûts de transport, de repas, et d'hébergement ;

« Attendu qu'une tumeur cancéreuse ne connaît aucune politique de transport pour les soins de santé ni de région géographique ;

« Attendu qu'un sondage de recherche Oracle publié récemment confirme que 92 % des Ontariens appuient un financement égal de transport à des fins médicales ;

« Attendu que les résidents du nord de l'Ontario paient le même montant d'impôts et ont droit au même accès aux soins de santé, ainsi qu'à tous les services du gouvernement et à tous les droits de personne inhérents que les autres résidents de la province ;

« En conséquence, il est résolu que les soussignés exigent que le gouvernement Mike Harris propose immédiatement de financer en entier les frais de transport à l'intention des résidents du nord de l'Ontario atteints de cancer » et mette fin à ce système qui existe présentement dans la province de l'Ontario en matière des soins de santé.

Je signe cette pétition avec fierté.

The Deputy Speaker (Mr Bert Johnson): Merci. Je ne parle pas de français.

1500

NATIONAL CHILD BENEFIT SUPPLEMENT

Mr John Gerretsen (Kingston and the Islands): I have a petition here presented to me by the Action on Women's Addictions Research and Education Foundation of Kingston. It's a very short but powerful petition. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario claws back the national child benefit supplement from families on social assistance,

"We, the undersigned, petition the Legislative Assembly of Ontario to stop its discriminatory practice and return the national child benefit supplement directly to its rightful recipient—the family on social assistance."

I agree with it. I've signed it and I'm handing this petition over to the excellent page from Kingston and the Islands, Jill Quirt.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination of northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to

travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is signed by a number of people from my riding. I've affixed my signature to it. I'd like to thank Gerry Loughheed Jr for all of his efforts on this matter.

PENETANGUISHENE MENTAL HEALTH CENTRE

Mr Garfield Dunlop (Simcoe North): I have a petition to the Parliament of Ontario.

"We, the undersigned inmate/patients detained in the maximum secure prison at the Oak Ridge division of the Penetanguishene Mental Health Centre, in Penetanguishene, Ontario, hereby call upon members of the Legislative Assembly to appoint an inquiry into the failure by the Minister of Health to terminate the employment of a staff member"

Mr Speaker, the petition is very long. I just wanted to present it to the Legislature.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have a number of petitions here from people from Iroquois Falls, Powassan and many other points in northern Ontario. This is a petition to the Ontario Legislature.

"Northerners demand Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is a number of 60,000 signatures that are being presented on this issue.

PENETANGUISHENE MENTAL HEALTH CENTRE

Mr Garfield Dunlop (Simcoe North): This petition is from the inmates and patients at the Oak Ridge facility in Penetanguishene to the Parliament of Ontario.

"We, the undersigned inmate/patients detained in the maximum secure prison at the Oak Ridge division of the Penetanguishene Mental Health Centre ('Oak Ridge' or 'the institution') and our family members and friends, hereby request that Oak Ridge be privatized."

Again, it's a very long explanation. I'll present this to the Speaker.

WATER QUALITY

Mr James J. Bradley (St Catharines): This petition is to the Legislative Assembly of Ontario.

"Whereas water is a basic unit of life; and

"Whereas business does not view water as a social resource necessary for life but as an economic resource to be managed by market forces like any other commodity to earn a profit; and

"Whereas governments must not hand this precious resource to the private sector ensuring that decisions regarding the allocation of water centre around business considerations and where the management of water resources will be based on the principles of scarcity and profit maximization rather than long-term sustainability; and

"Whereas business is driven by increased consumption to generate profits and is therefore more likely to invest in desalination, diversion or export of water rather than conservation; and

"Whereas during the Walkerton crisis the local council and PUC relied on Ontario Clean Water Agency's expertise, experience and in-depth knowledge during those challenging days and continues to rely on OCWA's expertise to the present day;

"Therefore, we petition the Legislative Assembly of Ontario to not permit the sell-off of the Ontario Clean

Water Agency or any Ontario water resource to the private sector."

I affix my signature. I'm in complete agreement.

FEDERAL HEALTH SPENDING

Mrs Brenda Elliott (Guelph-Wellington): I have a petition from a number of my constituents, and it reads as follows:

"Whereas the federal and provincial governments in Canada agreed to share the cost of health care on a 50-50 basis;

"Whereas the federal government's contribution to the cost of health care in Ontario constitutes only 11 cents on the dollar;

"Whereas the federal government wants to create new health programs before properly funding existing programs;

"Whereas the federal government has not committed to increase funding for health despite its huge budgetary surplus;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue to pressure the federal government to become a true health care partner and properly fund health care in Canada and Ontario."

I agree with this and affix my signature.

EDUCATION FUNDING

Mr David Caplan (Don Valley East): "To the Legislative Assembly of Ontario:

"Whereas Mike Harris promised in 1995 not to cut classroom spending, but has already cut at least \$1 billion from our schools and is now closing many classrooms completely; and

"Whereas community use of schools is necessary to preserve low-cost and easy access to community programming in our riding; and

"Whereas the Mike Harris funding formula is forcing boards of education to charge high fees to groups that require the use of schools for their programming;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to instruct the Minister of Education to restore meaningful and flexible funding to the Toronto school boards to ensure that they are able to continue to accommodate community use of schools at low or no cost to the community groups renting the facilities."

I agree wholeheartedly with this petition and I have affixed my signature to it.

ORDERS OF THE DAY

RED TAPE REDUCTION ACT, 2000

LOI DE 2000 VISANT À RÉDUIRE
LES FORMALITÉS ADMINISTRATIVES

Resuming the debate adjourned on October 16, 2000, on the motion for second reading of Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts / *Projet de loi 119, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant deux nouvelles lois.*

The Deputy Speaker (Mr Bert Johnson): Pursuant to the order of the House dated October 17, 2000, I'm now required to put the question.

Mr Wood has moved second reading of Bill 119. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1510 to 1515.

The Deputy Speaker: All those in favour will please rise one at a time and be recognized by the Chair.

Ayes

Amott, Ted	Guzzo, Garry J.	Ouellette, Jerry J.
Baird, John R.	Hardeman, Ernie	Runciman, Robert W.
Barrett, Toby	Hastings, John	Sampson, Rob
Chudleigh, Ted	Hodgson, Chris	Snobelen, John
Clark, Brad	Johns, Helen	Spina, Joseph
Clement, Tony	Kells, Morley	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Stockwell, Chris
DeFaria, Carl	Martiniuk, Gerry	Tasca, Joseph N.
Dunlop, Garfield	Maves, Bart	Tilson, David
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	Molinari, Tina R.	Turnbull, David
Eves, Ernie L.	Munro, Julia	Wettlaufer, Wayne
Flaherty, Jim	Murdoch, Bill	Wilson, Jim
Galt, Doug	Mushinski, Marilyn	Witmer, Elizabeth
Gilchrist, Steve	Newman, Dan	Wood, Bob
Gill, Raminder	O'Toole, John	Young, David

The Deputy Speaker: All those opposed will please rise one at a time and be recognized by the Chair.

Nays

Agostino, Dominic	Conway, Sean G.	Levac, David
Bartolucci, Rick	Crozier, Bruce	Marchese, Rosario
Bisson, Gilles	Curling, Alvin	Martel, Shelley
Boyer, Claudette	Di Cocco, Caroline	McLeod, Lyn
Bradley, James J.	Dombrowsky, Leona	McMeekin, Ted
Brown, Michael A.	Duncan, Dwight	Parsons, Ernie
Bryant, Michael	Gerretsen, John	Patten, Richard
Caplan, David	Gravelle, Michael	Peters, Steve
Christopherson, David	Hampton, Howard	Phillips, Gerry
Churley, Marilyn	Kwinter, Monte	Pupatello, Sandra
Cleary, John C.	Lalonde, Jean-Marc	Smitherman, George
Colle, Mike	Lankin, Frances	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 51; the nays are 35.

The Deputy Speaker: I declare the motion carried.

Pursuant to the order of the House dated October 17, 2000, Bill 119 is referred to the standing committee on general government.

Orders of the day.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Mr Speaker, I believe we would have unanimous consent to have a vote on this next matter immediately after I call the order rather than having a five-minute bell.

The Deputy Speaker: Is there unanimous consent? Agreed.

1520

TOUGHEST ENVIRONMENTAL
PENALTIES ACT, 2000LOI DE 2000 SANCTIONNANT PAR
LES PEINES LES PLUS SÉVÈRES
DES INFRACTIONS
DE NATURE ENVIRONNEMENTALE

Resuming the debate adjourned on October 23, 2000, on the motion for second reading of Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties / *Projet de loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.*

The Deputy Speaker (Mr Bert Johnson): Pursuant to the order of the House dated October 24, 2000, I am now required to put the question. Mr Newman has moved second reading of Bill 124, and it is then passed by unanimous consent, 51 to 35.

Interjections.

The Deputy Speaker: Is that not what you agreed to?

Interjections.

The Deputy Speaker: I'd like to be able to hear the Clerk so that I can correct myself.

That unanimous consent was not to have the same vote; that unanimous consent was just to waive the five-minute bell.

Interjections.

The Deputy Speaker: But leading up to that, Mr Newman has moved second reading of Bill 124. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the "ayes" have it.

I think there's some misunderstanding. We have agreed that there will not be a bell.

All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
 Arnott, Ted
 Baird, John R.
 Barrett, Toby
 Bartolucci, Rick
 Boyer, Claudette
 Bradley, James J.
 Brown, Michael A.
 Bryant, Michael
 Caplan, David
 Chudleigh, Ted
 Clark, Brad
 Cleary, John C.
 Clement, Tony
 Coburn, Brian
 Colle, Mike
 Conway, Sean G.
 Crozier, Bruce
 Cunningham, Dianne
 Curling, Alvin
 DeFaria, Carl
 Di Cocco, Caroline
 Dombrowsky, Leona
 Duncan, Dwight
 Dunlop, Garfield
 Ecker, Janet
 Elliott, Brenda

Eves, Ernie L.
 Flaherty, Jim
 Galt, Doug
 Gerretsen, John
 Gilchrist, Steve
 Gill, Raminder
 Gravelle, Michael
 Guzzo, Garry J.
 Hardeman, Ernie
 Hastings, John
 Hodgson, Chris
 Johns, Helen
 Kells, Morley
 Klees, Frank
 Kwinter, Monte
 Lalonde, Jean-Marc
 Levac, David
 Marland, Margaret
 Martiniuk, Gerry
 Maves, Bart
 Mazzilli, Frank
 McLeod, Lyn
 McMeekin, Ted
 Molinari, Tina R.
 Munro, Julia
 Murdoch, Bill

Mushinski, Marilyn
 Newman, Dan
 O'Toole, John
 Ouellette, Jerry J.
 Parsons, Ernie
 Patten, Richard
 Peters, Steve
 Phillips, Gerry
 Pupatello, Sandra
 Runciman, Robert W.
 Sampson, Rob
 Smitherman, George
 Snobelen, John
 Spina, Joseph
 Sterling, Norman W.
 Stewart, R. Gary
 Stockwell, Chris
 Tascona, Joseph N.
 Tilson, David
 Tsubouchi, David H.
 Wettlaufer, Wayne
 Wilson, Jim
 Witmer, Elizabeth
 Wood, Bob
 Young, David

Chudleigh, Ted
 Clark, Brad
 Clement, Tony
 Coburn, Brian
 Cunningham, Dianne
 DeFaria, Carl
 Dunlop, Garfield
 Ecker, Janet
 Elliott, Brenda
 Eves, Ernie L.
 Flaherty, Jim
 Galt, Doug
 Gilchrist, Steve
 Gill, Raminder

Hodgson, Chris
 Johns, Helen
 Kells, Morley
 Klees, Frank
 Marland, Margaret
 Martiniuk, Gerry
 Maves, Bart
 Mazzilli, Frank
 Molinari, Tina R.
 Munro, Julia
 Murdoch, Bill
 Mushinski, Marilyn
 Newman, Dan
 O'Toole, John

Snobelen, John
 Spina, Joseph
 Sterling, Norman W.
 Stewart, R. Gary
 Stockwell, Chris
 Tascona, Joseph N.
 Tilson, David
 Tsubouchi, David H.
 Turnbull, David
 Wettlaufer, Wayne
 Wilson, Jim
 Witmer, Elizabeth
 Wood, Bob
 Young, David

The Deputy Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
 Bartolucci, Rick
 Bisson, Gilles
 Boyer, Claudette
 Bradley, James J.
 Brown, Michael A.
 Bryant, Michael
 Caplan, David
 Christopherson, David
 Churley, Marilyn
 Cleary, John C.
 Colle, Mike

Conway, Sean G.
 Crozier, Bruce
 Curling, Alvin
 Di Cocco, Caroline
 Dombrowsky, Leona
 Duncan, Dwight
 Gerretsen, John
 Gravelle, Michael
 Hampton, Howard
 Kwinter, Monte
 Lalonde, Jean-Marc
 Lankin, Frances

Levac, David
 Marchese, Rosario
 Martel, Shelley
 McLeod, Lyn
 McMeekin, Ted
 Parsons, Ernie
 Patten, Richard
 Peters, Steve
 Phillips, Gerry
 Pupatello, Sandra
 Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 79; the nays are 0.

The Deputy Speaker: I declare the motion carried.

Pursuant to the order of the House dated October 24, 2000, Bill 124 is referred to the standing committee on finance and economic affairs.

SOCIAL HOUSING REFORM ACT, 2000**LOI DE 2000 SUR LA RÉFORME
DU LOGEMENT SOCIAL**

Resuming the debate adjourned on October 18, 2000, on the motion for second reading of Bill 128, An Act respecting social housing / Projet de loi 128, Loi concernant le logement social.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Mr Speaker, I believe we have all-party consent that the question now be put and that if a recorded division is requested, there be no division bell and we vote immediately.

The Deputy Speaker (Mr Bert Johnson): Is it agreed that the bell will be waived? It is agreed.

Mr Clement has moved second reading of Bill 128. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

The members are called in. There won't be a bell.

All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted
 Baird, John R.
 Barrett, Toby

Guzzo, Garry J.
 Hardeman, Ernie
 Hastings, John

Ouellette, Jerry J.
 Runciman, Robert W.
 Sampson, Rob

RACING COMMISSION ACT, 2000**LOI DE 2000 SUR LA COMMISSION
DES COURSES DE CHEVAUX**

Resuming the debate adjourned on October 11, 2000, on the motion for second reading of Bill 94, An Act to revise the Racing Commission Act / Projet de loi 94, Loi révisant la Loi sur la Commission des courses de chevaux.

The Deputy Speaker (Mr Bert Johnson): Further debate?

Mr Tony Martin (Sault Ste Marie): It is my distinct pleasure and honour this afternoon to be able to speak on this very important bill before us in this House, because it will affect, hopefully in a positive way, a piece of our industrial infrastructure that has struggled for quite some time but is now beginning to see light at the end of the tunnel. With some support and direction, and given its head a bit by government, it now looks like it has come up with a plan that could see it be successful and contribute in a significant way to the overall economy of

this province. It is an opportunity for a whole array of folks who are involved in the racing industry, who enjoyed some success 10 or 15 years ago but in the last few years struggled somewhat as the whole gaming scene in the province shifted dramatically with the introduction of some new venues and new competition.

If I'm correct in my assumption and my reading of this, particularly after having had a very good meeting with the executive director of the Ontario Horse Racing Industry Association, Jane Holmes, who assures me this is going to be good for them, it will be supportive of what they want to do and is good for the industry overall.

I just want to put this into some context for folks out there, because they may not be all that familiar with the horse racing industry in the province. I am sure there will be others in this House who will have a bit more personal knowledge than I have of the industry, because I do not follow the horses. I have, from time to time over the last few years when I've been in other jurisdictions with family members, attended some horse racing meets and have lost some money and won some money. I found it rather a fun thing to do, interesting and exciting, particularly when you have a wager on.

I am sure that in Ontario, as we look at some of the very well-known and popular venues that are out there—and there has been some consolidation over the last couple of years, but certainly there are several very good horse racing venues in southern Ontario. There is Sudbury Downs in northern Ontario, which has been a very well-run and successful operation and hopefully, with the passing of this bill, will be even more successful.

The person I speak of as the executive director of the Ontario Horse Racing Industry Association is Jane Holmes, who took time out of what I'm sure was a very busy schedule to come and share with me some of what this piece of legislation will mean for them, some of the history of the evolution of this legislation and how important it is that we not hold it up too much in this place as we put on the record some of the concerns we have.

I have to say as well this afternoon that we in the NDP caucus do have some concerns, but not enough to stop the passage of this bill. We will put them on the record so that the government knows of them. The horse racing industry knows that we understand that there is still a way to go as we try to figure out what is the best framework within which to have horse racing within the larger context of gaming in this province, and how, in doing that, we also respond in some significant, meaningful way to those in the province who have a concern about the escalating level of gaming and gambling opportunity that is now present and those who will be hurt by it, and what we do to minimize the hurt and then take care of those who perhaps find themselves in some dire circumstances or straits and need some assistance or counselling or whatever because of that.

I've had some folks in my office and I know some of the Liberal members have had some folks in their office. The member for St Catharines in particular expressed

some very grave concerns about the aggressive expansion of gambling in the province and how there doesn't seem to have been enough consultation with the larger community that often sits alongside the gaming industry, of whatever nature, that is going to be affected directly and is, yes, going to be able to take advantage of some of the positive spinoff by way of the economic opportunity that is there but is also going to have to deal with some of the downside of that industry that we know is there. I don't think there's any denying it. It has been quantified to some degree now because we've had a fairly varied gaming operation or scene evolve in this province over some 10 years now, and some government agencies and people outside of government who have some concern about this have done some research and some study. I think we all need to take some time to take a look at that material and information and meet with those people so that we hear and understand what their concerns are and then as a government hopefully have the commitment to make sure that we're doing everything we can to serve all the people of Ontario when we pass legislation in this place and do what we can to provide some relief or assistance or some help to those folks as well.

However, horse racing is a fact of life in Ontario, and has been for quite some time, and I think we need to support it, because it is a very healthy and important economic or industrial piece of many parts of this wonderful province and there are some really wonderful people involved in the horse racing industry, whether it's breeders, whether it's people who train the horses or ride the horses or take care of the horses or in fact manage the industry where the selling and breeding of horses is concerned, or whether it's the racing end of things. There are people who work very hard at that, who are committed to making sure that it's a vehicle of tremendous integrity in this province and continues to serve all factors of our community and our society in a positive and constructive way, and who are working themselves in partnership with others to minimize the downside that so many are so very legitimately concerned about.

The Ontario Racing Commission Act was first passed in 1950. It created the Ontario Racing Commission to govern, control and regulate horse racing in the province. The government appoints the members of the commission and selects the chair and vice-chair. The ORC is responsible for licensing owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise riders, tradespersons and other persons working at racetracks and to set the conditions of those licences. The Ontario Racing Commission collects licensing fees and imposes fines and levies.

1540

The high degree of regulation and licensing reflects the extent to which this industry is absolutely dependent on the public believing that the races are not fixed or that the industry is not being dealt with in any way that is slanted. It's a question of integrity. Is there integrity in the product?

I know that a while back when the government was looking at privatizing or contracting out a lot of the services, it looked at the whole package at one point, where the Ontario Lottery Corp was concerned. When I spoke to the people in that industry who had worked so hard for such a long period of time to build up that vehicle that we, as a government, used to provide people with an opportunity to take a chance, to buy a ticket, on the possibility of winning some money, and we provide that to everybody across this province in a fair and equitable manner.

The issue that came up over and over again was to make sure that whatever we did protected the integrity of the product, that there was nobody out there who thought for one second that there was some fixing going on within the operation itself that would lend to somebody having unfair advantage over somebody else.

Certainly that's been one of the main reasons the government felt very strongly back in 1950, and continually since then, that it was important to regulate the horse racing industry so that the integrity remained intact and that we didn't get ourselves painted with the brush that is happening in so many other jurisdictions where gambling is concerned. We read stories in some of the magazines that come out—*Fortune* magazine has had a few very troubling stories about some of the goings-on in the lottery industry.

In many jurisdictions in the United States and across the world, you get an incursion of those unsavoury types in one organization or another who are not there to provide a product that is fair and equitable and provides a fair return to the owners or operators of a particular venue, but in fact are there to tip the scales so that they, themselves, reap most of the benefit. If, at the end of the day, a few winners get some money, it's really not in keeping with what everybody out there thinks is fair in terms of return when you walk into an establishments, whether it be a casino or you buy a ticket at a kiosk for a lottery or go to a horse racing venue.

We want to know, the government wants to know and I think the province wants to know that everybody involved in that industry is being dealt with in a fair, equitable and upright fashion, and that they are being allowed to participate in the way they have the potential to, to maximize both their contribution and, at the end of the day, their ability to make a living working in this industry.

Even though we are supportive of the efforts of the whole of the racing industry to come together around a plan they think will serve them well, we want to put on the record that we have some concerns where the question of continuing integrity is concerned.

We have some concerns that those who participate so actively in the industry now continue to be able to do that, to have a say, to be able to challenge in some meaningful way, to see some response and some reaction to some of the things they will bring to the table—nothing is ever perfect; there are always things we need to be fixing and making better—that they are allowed to con-

tinue to participate in the way they have up to now by way of their expertise and skill, and at the end of the day be rewarded accordingly and make enough money to take care of themselves, feed their families and contribute to the economy of their local area in a way that we know any industry has the ability to do as long as a big chunk of the control and activity continues to be close to and part of and directly connected to the operation of that particular venue, so that, for example, some of these racing venues that are so very important from a community economic development perspective to many parts of this province do not simply become a franchise or some other less important outreach of some bigger operation headquartered in New York or Tokyo or London.

As so often happens, particularly under the leadership of this government, where they want to get government out of the way, where they want to reduce regulation, where they want to let the free market reign, we simply become the end on a conduit to a huge vacuum cleaner that sucks money out of our jurisdiction, makes a small number of people very rich and leaves the rest of us struggling to keep our heads above water and make ends meet.

This industry has been struggling for quite some time now, primarily because, as I said earlier, of the incursion, the evolution, the development, the arrival of so many other gaming venues in this province, the introduction of lotteries, the introduction of casinos and the slot machines now that are going into various and sundry establishments that have affected very directly—

Interjection.

Mr Martin: I'm not casting blame here; I'm just saying that's the reality in Ontario today. Yes, we as a government introduced casinos to the province, you're absolutely right, and it has had a very difficult, challenging effect on the racing industry. But while we were at it, we did recognize there were going to be some difficulties for the horse racing people. My colleague who used to be the Minister of Consumer and Commercial Relations in this government is now the member for Toronto-Danforth. They keep changing the names of the ridings and it makes it difficult for somebody nowadays to remember where everybody's from, although I suppose I should remember my own colleague's riding.

Mr John Gerretsen (Kingston and the Islands): You've got so few of them, you should.

Mr Martin: That's right. There are only nine of us, but we do such a tremendous job here for nine. Our voice is probably equal to, if not greater than—how many Liberals do we have here?

Mr Monte Kwinter (York Centre): There are 36.

Mr Martin: There are 36 Liberals. We know we have a challenge and that it's difficult, but we're up to the challenge and we work very hard at it. That's why I'm here this afternoon, trying desperately to put on the record some of my very sincere and legitimate thoughts on this issue.

As I was saying, the horse racing industry has been challenged over the last 10 or so years with the intro-

duction of new venues for gaming and gambling. Under the leadership of the then Minister of Consumer and Commercial Relations, Marilyn Churley, we brought together all of the players to say, "What can we do? What is it that we could do with you, for you, to improve the opportunity that should be there for you to continue to make a living and to have this industry prosper and grow?"

The member for Toronto-Danforth says this wasn't unlike some of the work we did in Sault Ste Marie where we restructured so many of the very important industrial pieces up there, and in Kapuskasing and Thunder Bay. The formula was the same. You're faced with a challenge and industry is having some difficulty. You understand the import of that industry to the local economy in that area. You don't just say, as this government does now, "Leave it up to the free market. Let the market determine. It's free enterprise, everybody for themselves out there. Government should just stay out of the way, shouldn't get involved. Just let it all unfold."

We know what happens when you do that. A lot of good industry which with a little help could have been better, given some support, leadership and assistance from government could have changed track a little bit to take advantage of new opportunities. But that doesn't happen under this government. Under our government, we in Sault Ste Marie brought together all the players around the table and said, "Define the problem, the challenge. What is it that we can do together? What is it that you can do individually to assist?" and came up with a plan that everybody bought into and, in the end, was successful.

I'm not saying we don't struggle, that life doesn't go on and that with the economy that we're in today, particularly for resource-based areas of the province where we continue to make things and make a living by the sweat of our brow and the intelligence that we have, we aren't challenged in many significant ways. But because of the leadership given, because of the commitment made and the resources brought to the table by the Bob Rae government of the day, we still have a very vital and viable Algoma Steel operation in Sault Ste Marie. We have a very successful St Marys Paper that is just putting out product like there's no tomorrow, generating profit and sharing that with their stakeholders and workers in a very generous and positive way for our community, as they take that money and spend it then in the local stores and shops of Sault Ste Marie and environs.

You look at the Algoma Central Railroad and the work we did there, and Lajambe Lumber, and the list goes on and on, where we as a government came in, brought people to the table, everybody involved, asked them what they thought, defined the challenge and came up with a plan that we then worked with the folks to carry out. And we had success. It happened in Kapuskasing, it happened in Thunder Bay and could have happened in many, many other communities across this province had we been returned to power in 1995 when

we went to the electorate. Alas, that's life in this business, and here we are.

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But I have to say that in fact we have a piece here of that very important work that was started when we were government to bring people around the table, to ask those very important questions, to, as I said before, define the challenge, look at all the factors, work with everybody, give some leadership, and then decide together what it is we need to do to make this particular piece of a very important industrial infrastructure successful again. So that's what we have. We have the development of the Ontario Horse Racing Industry Association, which Marilyn Churley had a big hand in. As a matter of fact, she was telling me earlier today that she herself participated at many of the meetings, chaired those meetings, contributed in many significant ways, even went to some of the horse racing venues. She tells me that she went to a couple of the Queen's Plate events, actually wore the big hat and put on the white gloves and mingled with the very good folks who go to—

Mr Gerretsen: Did she pick a winner?

Mr Martin: I'm not sure if she picked a winner or not. I didn't ask her that. But she certainly was there and she was certainly supportive of the people in the industry, showed her personal interest. And not only did she go to the venue and wear the costume of the day, but she came back to her office and sat down with her political staff, who were very much involved in the evolution of this OHRIA, and struggled with them to try to find an answer to some of the very real and difficult challenges they were facing at that particular point in time.

The key feature of the bill we have in front of us today, Bill 94, is to make the Ontario Racing Commission self-financing. That means that the Ontario Racing Commission becomes responsible for all its own expenses and that all monies it receives through licensing fees, fines and levies will no longer go to the province's consolidated revenues. The commission appears to have complete discretion to determine what those licensing fees will be.

The self-financing also means that for the provincial government the racing commission's net gains or net loss will be off-book. It lets the government off the hook, in some senses, if the industry continues to struggle financially, but on the other hand, if it does well—as we expect it probably will now that it's been given a bit more freedom to do some things it needs to do and has been given some further opportunity to have other gaming operations happening on their premises—and they start to make a whole lot of money, that money goes to the industry itself, as it should. But it seems to me that if we're at all interested in some fairness and contribution by every industry, as it is successful, to the common good of a jurisdiction, there should be some ability or vehicle—put a formula in place—to have some of that money at some point come back to general revenues so we might have more ability to provide the infrastructure that we know is going to be necessary if we're going to

have the good flow of traffic, if we're going to continue to be able to provide sewer and water to those facilities and the communities that support it, and if we're going to be able to work with communities that surround those particular venues to make sure they continue to be healthy and can respond to some of the challenges that will be presented as racing becomes successful and grows and prospers in this province.

There is always a common cost, no matter what industry it is. Nobody any more lives in a vacuum, nobody any more is out there completely and totally on their own. They have to be connected in significant and meaningful ways to the bigger picture, the overall economy of a particular jurisdiction, in this instance the province of Ontario. This is one of the concerns we put on the table. As I said before, it's not one that's going to stop us this afternoon from passing this important piece of work, but I think it's something we have to keep in mind as we move forward, as we continue, hopefully, to work together with the racing industry to make sure they do well and that at the end of the day the profit they generate somehow is used to contribute to that pot that's used to provide the infrastructure and help those communities that will be affected, both positively and negatively, by the growth of this industry as we give it its head here today to self-manage.

I wanted to talk just a wee bit about the Ontario horse racing industry that has been driving this legislation and working very effectively with government to make sure we got to where we are today. As I said before, their very able spokesperson, Jane Holmes, came to see me to talk about this and to answer any questions I might have. She assured me that everybody involved in this—and I mentioned a list before: the licence owners, the trainers, the drivers, the jockeys, apprentice jockeys, the grooms, the jockeys' agents, the jockeys' valets, the exercise riders, the tradespersons and so many other people involved in this industry were supportive, she said, of this bill.

As a matter of fact, I didn't hear from any of those groups as this bill worked its way through the system and I'm sure they knew it was out there, because when we were government, we involved them in some discussion around what it is that we could and should be doing. They did not contact me or call me. I made some calls to the various stakeholders to see if there were any real, significant concerns, and they assured me that at this point in time there weren't. I need to let them know, though, if any of them are watching today, that we're still here, that we're not going away, and we will be monitoring the imposition of this and the evolution of this as it plays out out there.

The Ontario Horse Racing Industry Association claims to represent all parts of the industry except the jockeys, who have their own organization, and they believe that everybody supports the bill. Indeed it appears to be, at least in part, a product of their lobbying. The Ontario horse racing industry argues that competition from the government's entry into gaming in recent years—

lotteries, casinos—has hurt horse racing in Ontario and that it needs this legislation in order to better grow the industry. When asked what the critics say about this bill, the Ontario horse racing industry claimed that at this point in time there really are no critics.

But I know there is one critic group out there that we really do need to listen to and take seriously and do some further work with that you won't hear much about today, I don't think, where this is concerned. That's the group out there who are concerned with the expansion of gambling opportunities in this province. They speak on behalf of communities, the communities next door to some of the new venues that are popping up across the province, and they claim they have a right to be consulted, have a right to have a say in the introduction of, for example, VLTs in a particular venue close to them or the addition of more VLTs to a particular place in the province. I think they're right. I think we need to monitor very closely and clearly the further development of gaming.

I know I was involved very directly in some very difficult discussions when this government moved to wipe out the roving casinos that used to be active in this province, a vehicle that government initially sanctioned and licensed and sent out there to travel the province and provide opportunity for charities to make a few bucks to cover some of the costs of what they did on behalf of the people of their community. With one fell swoop, they woke up one morning to find out that, boom, they were out of business because of the new charity casinos. Sault Ste Marie has been a beneficiary in terms of one that was set up in my community just a short a time ago and it is actually doing quite well. But this has put a whole lot of small business people out of business and we still don't know how it's going to affect those charities across this province that were so dependent on the Monte Carlos for some of the money they needed.

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I know that a very big new operation has been fired up, the Trillium Foundation, to distribute some of this money. I'm not sure if the people who were making money before are getting what they need now and how that distribution is working itself out. We need to be concerned about that, we need to be looking at that, we need to be asking further questions and we need to be working with all of those people out there, whether they be the anti-gambling people, whether they be some of the church community people, whether they be some of the bingo people.

Many of you will know how important bingo has been to the common life of many communities across this province, whether it be a church community, a sporting community or a cultural community. In many significant ways, bingo used to be the lifeblood; that's where you made the money. Volunteers came in and worked for free so that people who wanted to have a night out to do a little gambling where bingo was concerned could do that. It was done in a safe environment that had lots of integrity attached. We need to be talking to those folks as gaming evolves in this province, and we need to be

involving them in the discussion we're all going to have around what impact the hopefully successful evolution of horse racing will have in this province on all those areas of common life in the communities that are going to be affected.

Even though we on this side are supportive of this initiative today, because it's being called for by the industry itself, everybody seems to be on board and a lot of work was done, particularly by the previous NDP government, to bring people around this struggling, fragile industrial sector, so that we're at a point now where things seem to be getting better, where there seems to be a light at the end of the tunnel and the industry people themselves say this bill will go a long way to giving them the freedom they need to develop further and be further successful, we have some concerns, and I've put them on the table.

One of them is our fear, as we move further and further away from regulating this industry, when we regulate all the other gaming and gambling venues that are out there, that we not lose complete and total control over it, because if we do, then the question of integrity begins to raise its head, the question of who at the end of the day will end up being involved in and controlling and running and owning some of these operations. That's a concern. Where is the money that's generated going to go at the end of the day? We agree that a big chunk of it should be going into the industry itself so that those who are involved in it can make a good living and take full advantage of the profit that's going to be generated. But if there's untold profit, as there very well could be, how do we make sure that some of that money goes into making sure that they are paying for some of the infrastructure that supports them in their successful industry? We need to do that; the government needs to be involved there.

Of course we also need to involve the people out there who have some very real and genuine concerns about the escalation of gambling, about the introduction of more and more slots and the impact that will have on communities, on people in communities and on some of the other very simple, less sophisticated gaming venues such as local bingos.

I want to thank you for the opportunity to put these thoughts on the record. I'm going to turn the floor over now to my colleague from the Liberal caucus who also has some very important things to say before we today pass this bill and make the industry happy and give them their head, so that in fact they can be successful and work with everybody else to make sure the whole of the province is well served by this industry.

The Deputy Speaker: Comments and questions?

Mr Gerretsen: I want to make a few comments, not so much about this bill, but about an individual who has been involved with this organization for the last number of years. It isn't very often that I'm complimentary to the government in the selection of a chair of a particular commission, but let me say that I totally agree with the appointment or, I should say, the reappointment of Mr

Stanley "Sonny" Sadinsky from Kingston. He's a prominent lawyer and law professor at Queen's University. He was originally appointed by the New Democratic government back in the Bob Rae days. He is well regarded by all, not only parties but I'd say by the commission itself. I think this is an excellent appointment. I should also say that he's a near neighbour of mine.

He's an individual who's extremely highly regarded. As I think you will hear later on from my colleague Mr Kwinter, he's highly regarded within the industry itself. I would like to compliment the government on his reappointment—he was recently reappointed to a three-year term—as being an excellent choice of a gentleman who can really, truly lead this commission in the way it should be led in these changing times.

I might also note that his wife Gillian Sadinsky is a radio personality in Kingston and a journalist. She currently chairs the United Way campaign that is going on not only in my particular riding but is carrying on throughout the community. We certainly have two individuals in this family who, each in their own way, are contributing to the welfare of Ontario.

I would like to put my congratulatory note on the record to this government so that I don't always get accused of being negative about the government. You've made an excellent choice in renominating Mr Stanley "Sonny" Sadinsky as the chair of the commission.

The Deputy Speaker: Comments and questions? The member for Sault Ste Marie has two minutes to respond.

Mr Martin: I don't need to respond in that the comments from the member for Kingston and the Islands didn't have anything to say re my speech here.

If he's supportive of the chair and this person—

Mr Gerretsen: On a point of order, Mr Speaker: I think it's an excellent speech that the member gave. I just want that to be on the record.

The Deputy Speaker: That is not a point of order.

Mr Martin: Thank you very much to the member for Kingston and the Islands. Very briefly, we are supporting this bill because the horse racing industry has chatted with us and because of the involvement of our government when the then member from Toronto-Danforth, Marilyn Churley, did so much work with the industry to pull together a plan, and this seems to be the evolution of that plan. We want to see it move forward.

However, as I said, we have some concerns. The primary concern is around the escalation of gaming and gambling in this province, both as it affects other gaming operations and the ultimate saturation that may occur if we don't control that in some way, but also because of the impact it can have on the wider and broader community, with the opportunity for those who shouldn't be gambling to have easier access.

How do we respond to those out there who have some very legitimate and real concerns around the moral and ethical value of gambling? That's something we need to continue to struggle with, continue to look at and work with those people out there who have developed positions, who are very concerned and interested in this

and want to be heard. Having said that, we look forward to supporting this this afternoon.

The Deputy Speaker: Further debate?

Mr Kwinter: I'm pleased to join the debate on Bill 94, An Act to revise the Racing Commission Act and to tell you that Dalton McGuinty, the leader of the Liberal Party, and our Liberal caucus will be supporting this bill.

The bill basically is relatively simple. What it does is allow the Ontario Racing Commission to become a self-financing agency of the crown. It provides for the appointment of a director, which is a new departure for the commission, and it allows the commission to set fines. The reason that is significant will come a little later in my remarks, but heretofore, in the previous act, there was a limit as to the amount of a fine. That was \$300. When you consider today's economy, that wasn't even a slap on the wrist; it was like an additional licence to do things that were improper. So the ability of the racing commission to set its fines and collect its fines will allow them to put some teeth into their particular operation.

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I think that is really important, and I think that is why it has the support of everybody in the industry. The Ontario Horse Racing Industry Association, which is made up of all the disparate entities in the horse racing industry, is supportive of it. The major tracks, the Ontario Jockey Club, the smaller tracks, are all supportive of this bill. They're supportive of it for a very good reason, in that they want to make sure that the confidence of the people who are coming to their racetracks is utmost in their minds. They want to make sure that the people who come to the racetrack know there is a regulatory authority in place to make sure that the races are legitimate, that the bettors get a fair shake and that the negative impact of racing that was portrayed in lots of movies in the 1930s, 1940s and 1950s, where people felt it was an unsavoury place to go, is changed. I think that's critical.

Having said that, and assuring members that we will be supporting it—I understand we have all-party agreement that not only will we give it second reading but third reading today, which means that it will not be going to committee—I feel I have a responsibility to comment on some of the provisions in this bill. Hopefully in the regulations there will be some sensitivity to these things and maybe it can be reflected.

What I'm going to do in the time that I have is to actually go through the bill and talk about some of the things I think are important.

First of all—and I think this is interesting in light of the comments of my colleague from Sault Ste Marie—the objects of the commission as laid out in the bill are “to govern, direct, control and regulate horse racing in Ontario in any or all of its forms.” It's important to understand that it only deals with horse racing. It's significant and important to understand that.

One of the other things—this is new, and I think it's quite significant. It touches somewhat on what the member from Sault Ste Marie was talking about, and I want to

use an example. It says, “The commission shall exercise its powers and perform its duties in the public interest and in accordance with the principles of honesty and integrity, and social responsibility.”

That is what I want to talk about briefly. Social responsibility is a new onus that is put on the Ontario Racing Commission. I happen to be very supportive of the racing industry. I was the Minister of Consumer and Commercial Relations back in 1985. I brought forward a racetrack assistance program that really did help the industry in its darkest hour, when they had lost their monopoly on providing legal gambling because of the lotteries and now because of the casinos and things of that kind, and they embarked on a public relations and facility upgrading program to enhance the experience of people who go to a racetrack. As I say, I was the minister when that happened, and I am very proud of that particular thing.

Notwithstanding that I'm known, and I certainly am proud, to be a friend of the horse racing industry, let me tell you about a concern that I have. The Ontario Jockey Club has been running some ads. I think they have taken them off now. There were two in particular: one showed someone playing cards at home, excusing himself, dashing out, tearing off his clothes, throwing sheets out of the window and running to the track; another one showed the housewife who opens up a trap door in her kitchen, goes down, again, takes off her outer frock and is wearing evening clothes, and rushes to the racetrack. Advertising of that kind is counter to what I think responsible advertising should be, because it really pinpoints people who are addicted to gambling. One of the things we've noted with the casinos, with tracks—it isn't a big number, but it's a number, and in many senses it's a number that people are very conscious of, and the industry is conscious of it.

I just felt that this series of ads, with a different theme, could have been more effective. Again, I say that as constructive criticism. I think that's something the racing commission, with its new mandate for social responsibility, should have some input in. I've gone through the act. There is nothing that says that jockey clubs or racetrack owners have to submit their advertising to the Ontario Racing Commission, but I think that's something that could be addressed because, again, there is a social responsibility.

The other provision in this legislation is that the commission really is responsible for the appointment of everybody who has to do, and the words in the act say, “the actual running of horse races.” So this is a regulatory body. This body does not run the racetrack. The racetrack is run by the owners, whether it be the Ontario Jockey Club or individual owners in Windsor or throughout the province where there are racetracks. This legislation sets down the powers of the regulator, but they don't run it, they just regulate it. I think that's important to understand.

One of the concerns I have is that historically—and these figures unfortunately aren't as current as I would

like, but in 1995-96 the Ontario Racing Commission had a budget of \$4.4 million and had 61 employees. Their budget was \$4.4 million. The revenue that was turned over to the government, that they got, was \$1.8 million. So there was a shortfall of \$2.6 million, and that came out of the consolidated revenue fund, that came out of the government's coffers, and I am sure that's one of the motivations for bringing in this act: to relieve the government of that responsibility and make the commission a self-financing agency of the crown.

I think that's fine, the industry thinks that's fine and the commission thinks that's fine, but somewhere along the line there was a shortfall of \$2.6 million. Now, this legislation allows the commission to set its fines. It's no longer restricted by the \$300 cap, which means that they can in fact put fines in that are commensurate with whatever the offence is. Any of you who are baseball fans saw what happened to Roger Clemens when he threw the bat; the commissioner of baseball fined him \$50,000. I can't see any incident, short of criminal action, where they would ever set a fine of that size, but somewhere there's going to have to be a makeup of that shortfall.

The reason I bring that up is because in the explanatory notes that come with the act it says it is not expected that licence fees will go up. Well, if licence fees are not going to go up, you're going to have to have an awful lot of infractions and crimes you're going to levy these increases on, to get that amount up.

Now, I think there's an answer, but it's not in any way spelled out in the act, and maybe it should be done in the regulations. I'm sure members will know, or they should know, that at one time the takeout by the government, out of the monies bet, was 7.4%. That was considered to be draconian. It was far in excess of what the government's take is on other gambling venues and other gambling activities. Now, 2.4% of that was given back to the horsemen for purses and equine research, which meant there was a 5% take by the government.

With all due credit to this government, in the last budget the treasurer reduced that to 0.5%, a very dramatic change. It has allowed the racetracks to increase their purses, it allows more money to go to equine research and, I assume, although I don't now, some of that money will be going to finance the racing commission. I just feel it's important that there be that acknowledgement, that somewhere along the line we understand that this is going to happen, because otherwise we're going to have a very dramatic increase in licenses, notwithstanding that the intent is not going to do it.

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Another concern I have is that in the past, \$1.8 million went to the consolidated revenue fund, and this act specifically provides that all monies earned or received by the racing commission will not go to the consolidated revenue fund. It says that "the commission shall apply" its money and revenue to exercising its powers and performing its duty, which is great.

There is a Catch-22 clause in here that bothers me. It bothers me because I don't quite understand how it

works. What that says is, "When ordered to do so by the minister, the commission shall pay into the consolidated revenue fund the part of its surplus funds that the minister determines." So it's in the sole purview of the minister to determine, "If you have any surplus funds, you've got to put that into the consolidated revenue fund."

Further along in the act, in the explanatory notes, it says, "[The money that] the commission receives from exercising its powers, performing its duties or holding investments...." Obviously, if you're holding investments, that's surplus to your operating needs because you've been able to put it in an investment, and yet the minister is saying, "We have the right to take, at the minister's discretion, any of your surplus monies and put them into the consolidated revenue fund." I'm just concerned that if that is exercised without discretion, we could be defeating the whole purpose of this bill, which is to make the Ontario Racing Commission self-sufficient and self-funding.

The other concern I have is one that really applies not only to this particular piece of legislation but to all legislation that we are bringing forward from a couple of weeks on. That is, there are provisions in this act that correspondence, documents, contracts can be delivered personally, sent by regular mail addressed to the person at the person's last known address, a copy sent by fax transmission to the person's last known fax number, or sent by any other method specified by the commission.

It would seem to me that somewhere along the line, when Bill 88, the Electronic Commerce Act, comes in, there's going to have to be an omnibus provision that all acts in the government that require or prescribe that certain documents be sent provide that they can, in fact, be sent as provided for in Bill 88. But we have an opportunity now, before this legislation gets passed, to literally bring it into the e-commerce era. I think that would be important.

The last area of concern that I have is this. At the present time we have—and I want to use a facility that I'm the most familiar with, the one that is the pre-eminent racing facility in Canada and one of the most pre-eminent racing facilities in North America. That is the Woodbine track owned by the Ontario Jockey Club. At the present time, the Canadian Parimutuel Agency, which is an agency of Agriculture and Agri-Food Canada, regulates parimutuel betting. So we have a federal agency that regulates that. We have the Ontario Racing Commission, whose sole responsibility is racing. Again, the comments by my friend from Sault Ste Marie—the slots at Woodbine are under the jurisdiction and regulation of the Alcohol and Gaming Commission of Ontario.

The racetrack is the landlord, and for being the landlord they get a set percentage of the revenue. They don't run it, it's run by the Alcohol and Gaming Commission of Ontario, but the racetrack gets a percentage and it's fixed. They get that just because they're the landlord.

Given that the Ontario Racing Commission has responsibility for regulating the racetrack and there's no

real differentiation between the casino part of the facility and the racetrack, although in effect they are two different audiences, and the racing people are hoping that people playing the slots will take a few minutes and look at the racing and that the synergy of that—and I think results have shown that it is happening. But it would seem to me that somewhere in this act there should be an acknowledgement that we're into a totally different environment where we have racetracks cohabiting with casinos, and there is no mention of it. There's no delineation of responsibility.

I've talked to the chairman of the racing commission. He said, "Oh, there's no problem. We're doing fine." The regulations that are set out and the act that is set out aren't meant to deal with things that are going fine; they are meant to deal with things when they're not going fine so that responsibility can be apportioned. It would seem to me that there could have been some recognition of the new reality in racetracks. I should tell you the racetracks are very happy that they're able to increase their purses, that they are able to increase the quality of their racing cards and that the racetracks are enjoying a resurgence, which I think is fabulous. But having said that, we have an opportunity, I think, to make sure the things that could go wrong are anticipated and provided for in this legislation.

Again, I want to say that we will be supporting this bill at second and third reading. It was a pleasure to participate in the debate.

The Acting Speaker (Mr Tony Martin): Comments and questions?

Mr Gerretsen: Let me just congratulate my colleague from York Centre for an excellent presentation on this bill. It goes to show you that constructive criticism can be made in this House without a lot of wrangling and that criticism of a particular bill or potential problem areas of a bill, some of the areas we should be concerned about, can be pointed out to the government and indeed to all of us here in the Legislature. Certainly he's an individual who has a great amount of knowledge, not only of this industry but also of the ministerial responsibilities that are part of this industry and of this particular ministry.

If there's just one area that I totally agree with him on, it is the notion that the moment we start putting slot machines at racetracks, whereas it may be a good thing for the racetrack industry—because we all know that over the last 10, 15, 20 years there has been a steady decline in racetrack use. As a matter of fact, I can remember attending a track, Assiniboia Downs in Winnipeg, not too long ago, about two or three years ago, and I was just amazed that there weren't more than about 50 people at the entire track, where they tell me that 10 or 15 years ago there were thousands of people for the horse races. Where I can certainly understand that putting slot machines there will change the industry, there has to be a clear-cut understanding that the total environment of racetracks is going to change completely. The minister and the commission should take that fully into account in operating the tracks and in operating the commission.

The Acting Speaker: Further comments or questions? If not, response?

Mr Kwinter: I want to thank the member from Kingston and the Islands for his comments and I reiterate that this is going to be good for the racing industry. It's going to give confidence to patrons that there is the ability of the Ontario Racing Commission to do its job, to have the flexibility to adapt to changing circumstances as we develop in our society.

Again, on behalf of Dalton McGuinty and the caucus, I want to assure all sides that we will be supporting this at second and third reading.

1630

The Acting Speaker: Further debate?

There being no further debate, Mr O'Toole has moved second reading of Bill 94, An Act to revise the Racing Commission Act. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): Pursuant to standing order 72(c), I'd like to ask for unanimous consent to move to third reading of Bill 94.

The Acting Speaker: Agreed? Agreed.

RACING COMMISSION ACT, 2000

LOI DE 2000 SUR LA COMMISSION DES COURSES DE CHEVAUX

Mr O'Toole, on behalf of Mr Runciman, moved third reading of the following bill:

Bill 94, An Act to revise the Racing Commission Act /
Projet de loi 94, Loi révisant la Loi sur la Commission
des courses de chevaux.

Mr John O'Toole (Durham): At this time I'm pleased to say that there's been unanimous consent, and all three parties have had an opportunity to express their support and to air their concerns.

The Acting Speaker (Mr Tony Martin): Any further debate?

Mr O'Toole has moved third reading of Bill 94. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

VICTIMS' BILL OF RIGHTS AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA CHARTE DES DROITS DES VICTIMES D'ACTES CRIMINELS

Resuming the debate adjourned on October 24, 2000, on the motion for second reading of Bill 114, An Act to amend the Victims' Bill of Rights, 1995 / Projet de loi 114, Loi modifiant la Charte de 1995 des droits des victimes d'actes criminels.

The Acting Speaker (Mr Tony Martin): Further debate?

Mr Jerry J. Ouellette (Oshawa): I very much appreciate the opportunity to discuss this bill.

The creation of the permanent Office for Victims of Crime keeps our government's Blueprint promise to create such an agency. It also fulfills our budget commitment of \$1 million to support the office.

The creation of the office definitely gives victims a stronger voice in that there's a direct relationship, and let me explain. I can remember quite distinctly—I believe it was September 15, 1994—where I lost a friend of mine who was killed in an armed robbery. The impact on the individuals and the family that took place in that particular incident was extremely dramatic. During that time I had spoken with the individuals who worked at the location and I heard grave concerns from a number of the people there. I knew Officer Ann Crawford from Durham regional police, who was in a support position with the police department at that time, and she tried to help out those individuals. The police services are providing a service out there. However, this gives a direct relationship that will support those individuals in such a critical position.

As we mentioned, the legislation would permanently establish an office for the victims of crime. The office would play a pivotal role in advocating on behalf of victims. It would provide advice to the government on ways to ensure that principles set out in the Victims' Bill of Rights are respected. It also would advise the government on legislation policy and practices relevant to victims of crime and develop provincial standards for victims' services and the use of a victims' justice fund.

As well, I know that particular incident was very instrumental in my position on a lot of issues that took place in 1994, on what happened to the individuals, not only then and during, but afterwards, and how they were affected so dramatically; it was very significant. I very much appreciate Officer Ann Crawford trying to assist in that situation and doing the great job that she did in helping out, but there just wasn't a dedicated, full-time individual who could help out on a regular basis.

That was only one case in the region of Durham. There are a number of other cases. With a permanent office, we're able to provide a direct, one-on-one relationship that will be able to help those individuals who need the help, and they do need that out there.

We know as well that more needs to be done, and that's why we are proposing a permanent Office for Victims of Crime. It is also why we continue to ask the federal government to live up to its responsibilities to victims of crime.

There are some things that the members here probably wouldn't know, and that is that a family member of mine, my sister Anne in Manitoba, actually sits on the federal committee to deal with this issue. She travels across Canada dealing with victims of crime as it relates to certain incidents, particularly the one in Oshawa that I

mentioned earlier. She goes around and is gathering input to be implemented, possibly Canada-wide.

The difficulty here is that there was a lot of talk. In the province of Ontario, it's happening here. We are assisting. We are committing funds and we're making those things happen for those individuals who happen on those circumstances.

We mentioned how the office would advise on the establishment of provincial standards and maintaining those standards. One of the difficulties, as I'm sure everyone is aware, is that the individuals themselves, once they've been in a situation like that—and I talked to the family members and tried to do what I could to assist them through this process, but the maintaining of standards was so critical because at that time there was no one. It was all a judgment call on how things were taking place and how that family was affected. They felt very slighted about the entire process and felt there wasn't anybody who really understood there. There wasn't somebody there who could relate to the incident that happened to them and how it affected their family.

This office will be able to fill that void for the individuals who are being served, individuals who actually have had more experience—not only experience, but quite possibly could be victims themselves—in assisting and being able to understand the needs of those individuals.

Particularly in this incident, the loss of a loved one was extremely traumatic, not only for the direct family members but also for the employees in that situation, and there was nobody there to assist. As I mentioned, the family was rather upset that there was no standard; judgment calls were taking place. They appeared to be going through a process. It was kind of a mill: "This is what we're doing now. This is how it's done. Have a nice day. Thank you very much. Goodbye." We're trying to put faces to real needs, and that's happening here.

Maintaining of those standards is so critical as well. It's fine to establish standards, but who's going to enforce them and who's going to take care of them? The office will be designed to do that.

Where are the funds coming from to fund this particular office? That fund is coming out of the victims' justice fund. It essentially is created out of a surcharge on fines so that individuals will receive the funding and we're sure it's there. Not only that, but the commitment of the \$1 million we made in the government Blueprint is shown there to follow through on that.

1640

I know that back during the last Legislature I introduced a private member's bill. It essentially dealt with performance evaluation of judges. The attempt was to bring in through the judiciary some form of recognizing those judges who work out there and do the great job they do and have the ability to remove some of those judges, as we so frequently hear, who just aren't keeping up to the standard that's necessary.

When I did the research for that, I met with a lot of organizations and groups, and a number of them were

victims' groups. During that time we had a number of pieces of legislation come forward. In that bill there was an aspect that was put forward to me by a victims' group, and I know they were very supportive of it. It was a support position, and the minister at the time was the Solicitor General, the Honourable Bob Runciman, who approached me and said it was a great piece of legislation and that they were going to take that piece from my bill and implement it in other aspects.

I got that commitment and it is now being done. Where individuals were coming up to parole, this particular victims' group wanted to have the ability to stand up and make presentations so that they could, when a parole decision is being made, have some input into that decision. There was a commitment that it would proceed so that these individuals have that ability to do that very thing. They were very glad to hear that somebody out there was actually listening and wanted to take that challenge and champion that cause, and we were able to bring it forward in legislation and deal with that specific issue.

I know that particular group was extremely supportive of it and still is. I know that the actual commitment by the government to bring forward this legislation for the Office for Victims of Crime is being supported by a great deal of organizations out there. Not only do we hear from them, but it's an opportunity for them to give direct input into the government and put faces to causes where they need them.

At this time I'll conclude my remarks.

The Acting Speaker: Further debate?

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) : Je regardais la loi qui était déposée, le projet de loi 114. C'est la Loi modifiant la Charte de 1995 des droits des victimes d'actes criminels.

Lorsqu'on réfère à l'autorisation d'enregistrer ou au droit d'enregistrer une arme à feu, je me demande—ce gouvernement, depuis le dépôt—

The Acting Speaker: Sorry, member, I made a mistake here. We're supposed to do comments and questions and then we come to you.

Mr David Caplan (Don Valley East): We're doing comments and questions.

The Acting Speaker: You're doing comments and questions? Oh, sorry, I thought you were into the debate. OK. We'll get it straight yet.

M. Lalonde : Merci, monsieur le Président. Ça arrive, des erreurs, de temps à autre.

C'est un plaisir pour moi de parler pour quelques instants sur ce projet de loi 114, Loi modifiant la Charte de 1995 des droits des victimes d'actes criminels.

C'est bien beau, ce projet de loi. Je me demande jusqu'à quel point le gouvernement va respecter le contenu de ce projet de loi. Depuis le dépôt du projet de loi fédéral sur le contrôle des armes à feu, on s'aperçoit que le gouvernement conservateur de la province de l'Ontario n'a jamais été en faveur du contrôle des armes à feu, puis aujourd'hui nous référons dans ce projet de loi qu'on doit aussi identifier les armes à feu.

Je veux juste dire que lorsqu'on embauche les personnes qui devraient être appointées, je me demande jusqu'à quel point on va regarder le genre de personne que nous allons nommer. Je ne veux pas dire que les personnes n'ont pas toujours été qualifiées pour leurs appointements dans le passé, mais on sait toujours que les appointements sont faits des personnes qui sont de proches amis du gouvernement, et il y a souvent des doutes sur la qualité et aussi sur leurs connaissances dans le domaine.

Donc, c'est un projet de loi qui mérite d'être débattu jusqu'à un point. On veut se rassurer que le gouvernement va respecter le projet de loi tel que présenté, mais nous regardons toujours avec réserve la façon de laquelle le gouvernement va implanter ce projet de loi 114.

Je regardais aussi une section qui dit : « L'Office conseille le procureur général sur ce qui suit : (a) les façons d'assurer le respect des principes énoncés au paragraphe ... »

Monsieur le Président, j'aurais pu en discuter plus longuement, mais mon temps est écoulé.

Ms Shelley Martel (Nickel Belt): With all due respect to the member from Oshawa, who spoke in glowing terms about how this office is going to help victims, I think some of the members on the government side need a reality check, because the office is supposed to "advise the Attorney General on ways to ensure that the principles set out in subsection 2(1) of the Victims' Bill of Rights...are respected." That whole bill was a joke. It's not me who says that; that was confirmed by Justice Gerald Day of the Ontario Court who said in May 1999 that there are no rights included in the Victims' Bill of Rights.

The Premier came in in 1995 and promised that he was going to protect victims' rights, that he was going to have an incredible bill that would do just that. The first time that law was tested in court in this province, a justice, Mr Day, said there existed no rights at all with respect to this legislation. In fact, he said, "I conclude that the legislation did not intend for section 2(1) of the Victims' Bill of Rights to provide rights to the victims of crime." This is the bill that Mike Harris was so proud of, that these members were so proud of, that was going to do so much for victims of crime, that was going to get them their day in court and give them some justice. The judge said it's not worth the paper it's written on.

I say to the member from Oshawa, the government would be better served today if it had come in and actually introduced a real bill of rights to provide real rights to victims of crime, to give them something so they could have their day in court, so they could see some justice in this province. What's in place right now is a joke. We would be much better served by doing something about legislation that provides no rights than to pretend we're doing something at all, which is what the government is trying to do today.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'd like to make a response to the member from Oshawa's comments. I must say, though, I assume the

member for Nickel Belt was suggesting in jest that we introduce a bill that provides no rights. I hope it was in jest.

However, I want to remind the House exactly how this bill came about. The creation of the office for victims' rights was announced in the 1998 throne speech and was recommended by the Ontario Crime Control Commission, after hearing from the public and victims' organizations. It became Canada's first Office for Victims of Crime. The organization was mandated to consult with service providers across Ontario to assess the state of victims' services in the province, and they've done that.

This bill is to establish a permanent Office for Victims of Crime. Reference has been made to subsection 5.1(4) of the bill, which says what the office is going to do—it's going to advise the Attorney General on a number of things—and subsection 2(1), which lists the principles that apply to the treatment of victims of crime. It lists a number of other things, the final one being "matters of legislation and policy on the treatment of victims of crime and on the prevention of further victimization."

In short, this bill is going to provide a voice for victims. I congratulate the member from Oshawa.

1650

Mr Caplan: I'd like to follow up on the comments of the member from Oshawa and I'd like to ask him if he's actually read the judgment of Justice Gerald Day. If he hasn't, I'd like to provide it for all the members of this House.

I have it here. Back on March 3, 1999, he wrote his judgment. I should tell you that Karen Lee Vanscoy, Linda Marie Even and Tracy Lilian Christie tried to claim their rights as victims, as set out in the Victims' Bill of Rights. Here's what the justice says, and I will quote it directly: "In light of the above"—and he gives his rationale and reasoning—"I conclude that the Legislature did not intend for section 2(1) of the Victims' Bill of Rights to provide rights to the victims of crime. The act is a statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

It goes on in paragraph 23 to say, "As such, the applicants' submission that their statutory rights have been violated fails simply on the basis that there are no rights provided in the Victims' Bill of Rights to be violated. Therefore, in respect of question (i), does section 2(1) of the Victims' Bill of Rights provide statutory rights to the applicants," or to victims of crime, "the answer is no."

It was interesting that when this bill was introduced on September 25, An Act to amend the Victims' Bill of Rights, 1995, I fully expected that when I read this piece of legislation, the Attorney General would stand in his place and members of the government in debate would say, "We're finally correcting the error that was made by this Legislature, by the Harris government, in not providing rights that were going to embed rights of victims in legislation. But Bill 114 doesn't do that. I would like to hear the member for Oshawa explain if he will press

the government to ensure that victims have real rights, not just a policy statement.

The Acting Speaker: Response?

Mr Ouellette: I'd like to thank the member for Glengarry-Prescott-Russell, the member for Nickel Belt, the member for Don Valley East and the member for Dufferin-Peel-Wellington-Grey for their comments. There are a number of issues I'd like to bring forward and I'll start off in the order the members opposite spoke.

First of all, the member spoke about the federal Firearms Act. I believe he's referring to C-68. He made some comments regarding our government in that situation. Our government has never said that we oppose real gun control. As Terry Ryan, the president of the local police association, says, there are certain positions that our government has supported in C-68 and there are certain provisions of that act that will not deter criminal activity. That's right from Terry Ryan and he would be more than happy to respond on any aspects. We could go on from that.

I'm sure the member for Glengarry-Prescott-Russell knows, or maybe doesn't know, that my father was the chief of police in Thunder Bay and my contacts with the policing community are rather deep on the issues, so we hear a different perspective on what's going to be effective and what's not going to be. Like in all issues, that's why we have opposition parties, because people have different perspectives.

Qualified individuals—I'm sure that the ability to provide qualified individuals is very key.

I know I'm running out of time. One thing I should say is that everything begins with listening. Our own motto as members, our members' crest specifically says that we must listen to the other side. This will actually begin by establishing those committees, listening to the sides of those individuals who didn't have that opportunity before. There were provisions there that were available, but now we have a full-time office specifically to deal with that.

In regard to Mr Day, I'm afraid I'm not going to have the time to say what I'd like to say. I would like to say, though, that I did bring forward a bill for judicial accountability to ensure everyone is qualified.

The Acting Speaker: Further debate?

Mr Steve Peters (Elgin-Middlesex-London): I just want to inform the House that I will be sharing my time evenly with the member for Windsor-St Clair.

I want to make some comments in general about Bill 114 and then talk about a specific case where this government, and using the words we just heard in listening to the other side, has not listened to the other side, where this government has abandoned a family in this province. What has happened to this family is a real travesty. I'm going to relay that story.

I think it's important to understand that in the report that was issued in June 2000, A Voice for Victims, there were a number of recommendations that the government has chosen not to listen to, and that those recommendations have gone unimplemented. I think that's a really

sad day. It is a sad day that the government hasn't listened, and they really should.

I want to talk to you about a case right now that is—I can't show pictures in the House, but I would encourage anybody to look at these pictures that I have with me to see the damage that's been inflicted on a victim, not only the physical damage that has happened to this individual but the damage that has happened to his family as a result of this crime and how this family has been abandoned by the Mike Harris government, an abandonment that should never have happened. I hope somebody on the opposite side today will take up the cause and help me help this family to have the rights they truly deserve. I encourage any of you to look at these photographs today.

Let's just give you a bit of a history lesson. This is an issue that's surrounded by tragic circumstances. Brian Crocker from my riding is a father and a husband. He was shot three times at point-blank range at his home in December 1995. Through unbelievable odds, if you could see the damage inflicted, he survived. This isn't the only fight, though, unfortunately, that Brian Crocker and his family has had to fight with this government.

The individual who was responsible for the crime was found guilty but not criminally responsible and was placed in a psychiatric institution. There were a number of criminal review board hearings concerning this individual, but the victims, Brian Crocker and his family, were not notified of these hearings. Then, to make matters worse, after one of these hearings that the victims were not notified of, the assailant was transferred from the Penetanguishene psychiatric facility to the St Thomas Psychiatric Hospital, and again the victims were not consulted. This is a facility that's located less than five kilometres from the home of the Crockers.

The review board took another look at this, and in November 1999 the criminal review board agreed with the family that there was a threat posed to this family in having the assailant living in such close proximity to them. That was November 1999, and still we have had no action by this government. Mr Crocker is in fear for his life. The psych hospital is not in any position to be of any assistance.

I think it's a sad day to see that there's such disarray within our mental health system that isn't allowing a review board order by the provincial government to transfer a patient, that the mental health system can't follow through, that one arm can't understand what the other arm is doing and can't fulfill an order. That's a real travesty and a real instance of this government, which claims it is there to help victims, abandoning this family.

It's interesting when you look at this review board hearing that the last line of the review board hearing from November 1999 commands that the psychiatric hospital, by order of Her Majesty, execute the terms of this disposition. The Crocker family is still waiting. November 1999 to October 2000: that's 11 months, and this order has not been followed through.

I want to take it a little further because the Crockers came to see me, and in May 2000 a letter was written to

Elizabeth Witmer, Minister of Health. I want to read into the record some of this letter.

"Once again I find myself having to write a letter to you in order to bring to your attention a very serious matter. My husband, Brian, [and] myself ... are very concerned that the Ontario Review Board decision of November 8, 1999 ... has not been acted upon as of today's date." That's May 10, 2000. The letter goes on to talk about some of the injuries that Mr Crocker was inflicted with and some of the issues that their family has had to deal with.

1700

On May 11, I stood in this Legislature and presented a statement with a package and pleaded with the Minister of Health to please intervene in this case, because it was obvious within the psychiatric hospital system that the Crocker family was not having their wishes attended to and, worse yet, an order by the criminal review board was not being adhered to. The minister took my package and assured me that she would look at it. The minister wrote back to me on May 29.

"Dear Mr Peters:

"Thank you for writing on behalf of Mr Brian Crocker requesting the immediate implementation of the Ontario Review Board's decision to transfer ... a patient from St Thomas Psychiatric Hospital to Whitby Mental Health Centre (WHMC).

"I understand the concerns that Mr Crocker has for his safety. Let me assure you that the Ministry of Health and Long-Term Care ... and the administrators of St Thomas Psychiatric Hospital and WMHC are exploring every possibility to expedite the transfer.

"I hope this information is helpful to you."

So the Crockers had some hope in May that the Crockers, as victims, were finally going to have the right that they thought that they had within this government. But that hasn't happened. That has not happened. The Crockers continue; they write again to the minister, urging her to do something because of the lack of action that is taking place.

There is a decision in July. There was another review board hearing. This is a quote from the chairperson of the review board hearing, July 5, 2000: "The board finds ... on the evidence heard and filed that [the individual] continues to represent a significant threat to the safety of the public and that the evidence does not support any change to his privilege level or form of disposition." The board agreed that the original order should continue, that he should be transferred.

That didn't happen. It's a really sad day and it shows us what has happened to our mental health system in this province, a system that the government says they are reforming but a system that can't follow through on an order; a system where one branch of government doesn't know what the other branch is doing; a system where, when one branch of government orders another branch to do something, the Ministry of Health doesn't fulfill that. I think that's a sad day. How can you as a government

stand up today and say that you're there fighting for victims' rights?

Here's a case right here, of Brian Crocker, where you as a government have abandoned the Crocker family. You as a government have not followed through on the orders that have been given to you. I plead with a member on the opposite side to take this case, to help me, to help the Crocker family. Show that this government is committed to helping victims of crime in this province, because to date there's been no indication from anybody on that side of the House that they are prepared to help this family, no indication that they are prepared to do anything to help a family that is a victim of a crime, and that's a sad day for Ontario.

Mr Dwight Duncan (Windsor-St Clair): I'm pleased to join this debate on Bill 114, the Victims' Bill of Rights Amendment Act, 2000.

Let me begin my brief remarks by quickly reviewing what this bill is. First of all, this is a short bill, a three-section bill. It provides for the—I won't use the word "creation." It provides for statutorily implementing this Office for Victims of Crime, which has in fact been established for more than two years now and already reports to the government.

In June 2000, the Office for Victims of Crime published their report, *A Voice for Victims*. I should point out that at this stage most of the recommendations made in that report remain unimplemented by the government.

This bill amends the Victims' Bill of Rights, 1995. That was a key plank, a key part of the government's crime-and-punishment agenda that was designed to show how tough this government is on crime and on punishment. The government made a lot of political hay at the time about that, because I think it's fair to say all of us are concerned about crime. I believe the members of the government when they speak about these issues with some passion and some desire to reduce crime, as we all do. The problem isn't in the talk, the problem's in the walk, again the Victims' Bill of Rights which the government trumpeted at the time and continues to trumpet as their great achievement.

I'd like to read to you how that Victims' Bill of Rights, 1995, was described by Justice Day in *Vanscoy v Ontario*, 1999. This is a judge speaking about the Victims' Bill of Rights: "The act is a statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime." He's saying it really doesn't do anything: a lot of talk, not a lot of walk. It really doesn't do anything.

There's been a number of other areas. Again, the government talks a tough game about crime and punishment. They like to get up and attack the federal government about a lack of initiatives on crime and punishment, the federal government's failure to deal with a variety of crime and punishment issues. Let's talk for a few minutes about some of the things that the Harris government has waffled on, or not dealt with, in the whole area of crime and punishment.

This government was missing in action and failed to seek intervenor status at the BC Court of Appeal when the law banning the possession of child pornography was struck down. It was only after Dalton McGuinty and the Ontario Liberals called upon this government to intervene that our Attorney General announced that he'd be attending an appeal to the Supreme Court of Canada, and from all accounts, the Attorney General of Ontario embarrassed this province in front of the Supreme Court.

The Tory government insulted victims of gun violence by supporting court challenges of the Firearms Act. This was the very legislation that was put into place following the tragic events at Montreal's École polytechnique on December 6, 1989, where 14 women were killed. Let me say unequivocally that I support gun control. I support the federal registry. I believe it's good legislation. I support the position of the chiefs of police of this province on that legislation and I do not agree with the Harris government's views with respect to guns, especially their ideas that 12-year-olds should be able to have guns.

Let's look at another area of Tory waffling on crime and punishment. By the way, this government had the opportunity to renegotiate the deal with Karla Homolka and they refused to do that. They like to present petitions about the federal government, but when given a chance they wouldn't do it. They wouldn't change the deal with the devil. They let it stand. So they have a lot of areas of waffling; that's just one.

The Tory government insulted victims of gun violence on any number of occasions, and that, by the way, was in the *Toronto Sun*. I remember the headlines: "Tories Won't Revoke Deal with the Devil."

Ms Marilyn Mushinski (Scarborough Centre): That's below the belt.

Mr Duncan: The only thing below the belt is the cheap grandstanding by government members like Marilyn Mushinski who grandstand continually on this issue and do nothing.

1710

The Acting Speaker: Sorry, we refer to members in the House by their ridings.

Mr Duncan: The member for Scarborough Centre, Marilyn Mushinski, who talks a good game, but supports the deal with Karla Homolka—that's the bottom line. That was the deal struck by the AG's office in Ontario. If they really believed it, they'd revoke it and fight it all the way through the courts.

It took a press conference, again, by the Ontario Liberals and Dalton McGuinty and MADD, to get the Attorney General to look into the fact that his crown attorneys were permitting conditional sentences for drunk driving. Here they go again. Big tough talk about impaired driving, but what does the record show? It shows that there are crown attorneys who are routinely permitting conditional sentences for drunk driving. My leader, Dalton McGuinty, called for a zero tolerance policy for drunk driving causing death or injury and for repeat offences. They didn't do that either.

There's one last initiative that should be brought forward. I have a constituent named Robert Montforton. I know he's watching right now, because he's been watching all these proceedings. A year ago I wrote to the Attorney General. Mr Montforton was stabbed in 1971. He was left a quadriplegic. Under the Compensation for Victims of Crime Act, you had a lifetime maximum of \$250,000. His benefits were scheduled to run out in June of this year. Last November I wrote to the Attorney General advising him of this circumstance and asking for him to take action in any numbers of ways to address this.

I wrote him again in January. I spoke to him. I questioned him in the House. I did that in March, April and May. Mr Montforton's benefits ran out on June 1, 2000. All summer the Attorney General refused to take phone calls or deal with this. Finally, in Bill 119, they stuck in the provisions that would increase the lifetime limit. Interestingly enough, they didn't raise the lifetime limit for victims of crime, for somebody like my constituent, by even keeping pace with inflation since the last time the lifetime adjustment was raised, and I believe that was in 1986.

They like to talk a game and present petitions, they like to portray themselves as tough on crime, they like to blame the federal government for this, that or the other thing, they like to imply a whole bunch of things, but at the end of the day, it's all talk and no action.

They made the deal with Karla Homolka.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): We did not.

Mr Duncan: I stand corrected. The minister is absolutely right. They refused to renegotiate the deal with Karla Homolka. The minister is absolutely right. They wouldn't reopen it. They wouldn't change the deal with the devil. That's why they're so upset. Their record on crime and punishment is abysmal. There is it is right there, right in the Toronto Sun: "Tories Stand by Deal with the Devil." That's it. That's not me; that's the Toronto Sun. There it is right there.

Undo the deal. You didn't even fight for it. They didn't even fight for it. So they're all talk, they're no action. They like to create the impression they're tough, and they're not. People like Mr Montforton and other victims of crime can see the truth in this government and its lack of respect for victims of crime.

The Acting Speaker: Comments and questions?

Ms Martel: Because Bill 114 is described as An Act to amend the Victims' Bill of Rights, 1995, I thought it would be useful to go back to the original bill to see how this bill might support it, might enhance it, might make it better. It's interesting what the Attorney General of the day, Charles Harnick, said when he introduced Bill 23 for second reading on Wednesday, December 13, 1995.

He said the following: "We introduced this bill for first reading but a couple of weeks ago and the basis upon which this was introduced was the fact that this government will not accept a system that allows victims of crime to suffer twice, first at the hands of the criminal

and second under a justice system that does not respond to and respect victims' needs."

A bit more: "This bill meets our commitments to Ontarians to bring forward a Victims' Bill of Rights, something we promised during the last election campaign, and it'll bring, we believe, meaningful change to the way victims are treated in the criminal justice system."

Just one more: "We are taking action to restore justice, fairness and victims' confidence in the justice system. The people of Ontario have demanded these changes and we are taking action."

What did Justice Day have to say about this government bill and all the rhetoric by the former Attorney General Charles Harnick, who is no longer with us? He says, "It is nothing more than a statement of government policy wrapped in legislation." What's interesting is that the government's own lawyers from the AG at the time argued in court that, despite its name, the bill only offered principles, not rights.

I say to the government members, give me a break today. If you want to amend the Victims' Bill of Rights, get rid of Bill 114, repeal the 1995 bill and bring in a piece of legislation that actually gives rights to victims. Do it now.

Ms Mushinski: I do feel compelled to respond to the verbal diarrhea that we heard emanating from the mouth of the member for Windsor-St Clair.

The Acting Speaker: I would ask you to withdraw that word, please.

Ms Mushinski: I will withdraw the comment. I'll refer to it as verbal garbage because that indeed is what it was. I've never heard such rubbish coming out of a member from the Liberal side as that, this coming from a member whose cousins in Ottawa have completely and totally ignored our government's attempts to try to toughen up the Criminal Code.

They ignored us on the Young Offenders Act when our own Attorney General attempted to contribute some positive feedback based upon what our constituents had been saying in our communities. They ignored that. They promised that they would impose serious penalties for those who stalk victims or invade their homes. They've done nothing about that. They've let all of that legislation die. They don't care enough about women's justice issues. They've let all of their inadequate legislation die.

We've also asked the federal government repeatedly to intervene and bring justice to the native peoples of Ontario who suffered in residential schools. Who has let that die? It's their federal cousins.

Those people are not up to the job. They never did anything when they were in government. Certainly they're just like their cousins. They're simply not up to the job.

Mr James J. Bradley (St Catharines): It's unfortunate that over the years the quality of the debate has deteriorated to what it has today.

I simply rise on this: I've had a situation, as people know, in my own riding which is very unfortunate. I'm always very reluctant to speak, because I hate raising the

issue. Somebody wrote a letter to the editor the other day saying, "Do we have to talk about Bernardo and Homolka all the time and put the families through the pain?" I know the French family very well. They are very good friends of mine. Day after day—

Interjection.

Mr Bradley: No, I say to the member, your Premier played the game of trying to get in on the Homolka deal for political purposes. I listened to the questions and I listened to the so-called petitions. We both face that.

I hate seeing, on any occasion, the name "Bernardo" showing in headlines or anywhere else. I have no use for the individuals who perpetrated that crime. I feel so sorry when I see the families put through it, no matter what it is.

I should invite the member who is interjecting down to St Catharines to meet the French family and see what they go through every time some newspaper reporter or some television reporter wants to deal with the Homolka or the Bernardo situation.

1720

But I do recall, only because I hear it constantly coming from the government benches, the news in the Toronto Sun, March 19, 1996: "The deal with the devil, written in blood, is now etched in stone. Attorney General Charles Harnick yesterday said his government will stand by the plea bargain deal with schoolgirl killer Karla Homolka." He believes he had reason for that, but I guess what annoys me is that I keep hearing the names being used on the other side, and here we see a situation where the Attorney General chose not to overturn the deal with the devil.

Mr Tilson: This bill is about the victims of crime, and the Liberals have spent a great deal of time on matters that aren't specifically dealing with the bill. They're entitled to do that, I suppose. It's a vague connection. There are victims in the issues they've raised.

It would be useful if they would talk to their counterparts in Ottawa. They certainly have more influence than we do or than members of the New Democratic caucus do. We've made some specific requests. We've repeatedly asked the federal government to make changes to the Criminal Code that would result in victims being better protected and offenders being made more accountable for their crimes. We've repeatedly requested, for example, that bail conditions be toughened by reversing the onus of proof with respect to bail proceedings in domestic violence cases. We have a bill in committee now that's related to that.

The province can only do so much. Much of this is the responsibility of the federal government. I don't hear my friends on the Liberal side talking about that. I don't hear them talking about that at all. They are trying to blame federal criminal matters on our shoulders. We are doing what we can with the jurisdiction that we have.

We have made promises to establish this office. It was promised in the last election. We're doing exactly what we promised to do. We promised to put money into it

and, as has been said by speakers on this side, \$1 million is going to be put into this program.

We believe there may be other things the province can do, and we're going to do our best to do that, but the bulk of the responsibility falls on the shoulders of the federal Liberal government, and they haven't honoured their commitments to the people of Ontario.

The Acting Speaker: Response?

Mr Peters: I'd like to make some comments. I want to thank the member from Nickel Belt because the case I raised today of the Crocker family is the case of a family who have been victims of crime more than twice. They continue to be victims of crime as a result of inaction by the Harris government. I can tell you that the Crocker family does not have any confidence in the justice system, a justice system that is not a federal issue but a provincial issue; no confidence in the Harris government.

The member from Scarborough Centre showed a total lack of respect for the issue. She didn't listen to what I talked about and the travesty the Crocker family has faced as a result of the Harris government.

The member from St Catharines talked about another family who are victims of crime as a result of the Harris government—again not anything to do with the federal government.

The member from Dufferin-Peel talks about laying blame someplace else, but again it's inaction by the Harris government. The Crocker family suffers not because of the federal government; the Crocker family suffers because of the Mike Harris government.

Dalton McGuinty, the Liberal Party and Steve Peters are going to stand up for victims of crime in this province.

My colleague raised another important issue, the issue of Mr Montforton, and again that's not something the government side can blame on the federal government. The blame lies with Mike Harris and the government on the other side.

I think it's a sad day when we sit here and have to raise issues of victims of crime. The government says it's going to help victims of crime, but we've got two issues right here—and goodness knows how many across this province—where the government has let them down. It's a sad day, and the blame lies with Mike Harris and the Tory government.

The Acting Speaker: Further debate?

Mr Bert Johnson (Perth-Middlesex): I want to add my comments on Bill 114, An Act to amend the Victims' Bill of Rights, 1995.

I want to read from one of the local papers in my area for July 18, 2000:

"Stratford—A 53-year-old father ordered his two young daughters out of the house during a domestic dispute Sunday afternoon that ended with the murder of their mother and their father being charged...."

"Laurie Vollmershausen, 35, was pronounced dead at Stratford General Hospital. Her common-law husband, Joseph Theodore Willemsen, is charged with first-degree murder."

"Willemsen appeared in court Monday afternoon wearing orange prison garb, his grey-black hair dishevelled, his head bowed low and his left arm heavily bandaged up to the elbow. An injury to his wrist and left thigh were 'apparently self-inflicted,' police say.

"Willemsen, who had to be asked twice to stand while the charge was read, declined an opportunity to speak to duty counsel, murmuring 'no' and shaking his head."

The reason I wanted to quote that was that domestic abuse is one part of victims that is often overlooked. For some reason, we in Ontario—I don't think it's just in Ontario, it's probably Canada-wide, but we think there are two crimes, that there's assault and murder and those things that are done by criminals, and that there's assault and murder and those things that are done by husbands to their wives. I'm not sure that we in society have set a double standard for ourselves, but I'm also not sure we are treating the problem.

Certainly from my point of view it would have been almost impossible to put a finger on or to rely directly on the cause. Our society of course develops by the mating of young men and young women. They court and, for whatever reason, we find it's mostly males—it isn't a high proportion but much higher than what any of us imagine or can justify—who abuse, beat, assault and murder their wives.

It's much too late in most cases after the crime has been done, but I wanted to say that's why we've brought in the bill that's in front of us, Bill 114, because it very definitely lays out the program the government is going to follow. I'm not going to read it even though it's not very long, but it goes through the steps that would be taken to set up the office for the Victims' Bill of Rights and the offices that will be providing that service throughout Ontario.

I would like to quote a little bit. This is from one of the large Toronto papers and I guess it would probably be about October 17 or 18, which brings us to several months after the July tragedy in Stratford. I might add that I neglected to state that the example I gave you from the community in my riding, Stratford, came hard on the heels of an even worse tragedy in the Waterloo region, and I'm referring of course to the Luft family.

1730

As I said before, there doesn't seem to be a way of preventing it. There doesn't seem to be a way of saying that this family has had a difference, that they had an argument and they raised voices at each other and couldn't get along, but with this other family we should somehow intervene and say as a society, "You can't do that," or stop it at the stage of the shouting, the disagreeing and so on. We don't seem to have a way of determining which are the family disputes and which are those that are going to lead to one of these tragedies.

I'm quoting:

"In the small city of Moose Jaw, a jury yesterday began hearing the gruesome facts of a murder case. Their deliberations are their own, quite rightly, and have

nothing to do with the federal election frenzy that has broken out this week like an unwanted virus.

"Still, the fact that such a jury has been assembled at all should give voters pause in the run-up to our national verdict.

"The jurors are hearing an early parole request by Colin Thatcher, the former Saskatchewan cabinet minister found guilty of murdering his wife JoAnn Wilson in 1983."

The reason I am bringing this up is to demonstrate what is happening in our judicial system that is not addressing the penalty and, in my opinion, is making it quite necessary that we implement further offices and advocates and help via this amendment to the bill of rights legislation formerly passed by this House. The reason I bring it up is that the jurors are being asked in this case to make a ruling on Colin Thatcher's penalty of 25 years under the "faint hope" clause.

Mr Duncan: On a point of order, Mr Speaker: What does any of this have to do with the bill before the House? It's only a three-paragraph bill, and the Colin Thatcher case has nothing to do with this bill.

The Acting Speaker: I'm sure the member is going to bring that to our attention here in just a short time.

Mr Johnson: Yes, absolutely, and indeed I have referred to very specific things in it. Unlike the member for Windsor-St Clair, who wanted to interrupt, I have been talking about the amendment to the Victims' Bill of Rights. As a matter of fact, if what I'm commenting on—I have a sense of humour, Speaker. I just can't help it. The member for Windsor-St Clair was telling quite a tale in this House not too many minutes ago, and I was going to say that if the truth were a city, we might call that a tale of two cities.

Interjections.

Mr Johnson: OK, for those who don't know, Stratford is in my riding—

Mr Duncan: On a point of order, Mr Speaker: While I rather enjoyed that reference, I just didn't understand it. Perhaps the member could put it in clearer terms.

The Acting Speaker: That is not a point of order.

Mr Johnson: That's quite all right, because I would be pleased to respond, and I will speak slowly. Mr Speaker, I would comply with the request quite gladly if it were going to add to the debate on what the people of Ontario really expect of this government to develop the plans they've outlined in this piece of legislation.

I wanted to point out that there are several things that need to be done. As you know, the federal government is responsible for criminal law and some of the justice system, and the provinces are responsible for implementing that system, so we provide the courts, we provide the chambers for the judges, we provide the police, we provide a lot of those kinds of supports, and the federal government provides us with the criminal law and acts that we have to implement, they provide the judges and things like that. So it is a co-operative system, and rightly so.

Without this piece of legislation we might very well have been criticized for not implementing those, but by doing this we are absolutely—

The Acting Speaker: I am really rather enjoying your presentation, but I'm not hearing it because of the chatter here at the front end of the hall. I would ask people to please keep it to a low murmur so that we can hear the member for Perth-Middlesex speak.

Mr Johnson: I appreciate that, because the people at home can hear through these magical devices we have that just put this sound through the microphone, up through the booth and out over television, but it shouldn't miss those members across the aisle who indeed shouldn't have to go to Hansard to read these comments. I think they're appropriate, they're certainly poignant, and they have everything to do with what we're discussing today. The people in my riding expect me to get up and comment not only on government bills and how they do the job, but if there are shortcomings in them, then I would also feel rightly privileged to point those out as well.

The reason I wanted to make that comment a little while ago about the editorial in one of the local Toronto papers was because they had outlined some of the things that are missing right now.

Two things: one is that I can recall very vividly a Prime Minister of this country saying that under the Young Offenders Act, for instance, "I'm going to make youngsters more responsible for the crimes they do." That sounded good, and when the Young Offenders Act came out, lo and behold, it said that nobody can tell their names; nobody can know who they are.

How did that make youth more responsible? For instance, I had at one of our service club meetings in my community a local fellow who had gone on to be a member of the Waterloo regional police force. He said he had investigated a break-in at the home of a man who had gone to Florida for the winter. When the fellow got back, he said, "That's bad." I guess he went through his insurance and was talking to the fellow, and he said, "By the way, who broke in? Who was it?" He said, "Under the law, I can't tell you who it was." The fellow said, "That's too bad, but I'll solve the problem. Next winter when I go south, I will get my next-door neighbour to look after my house." I'm not sure of the legal ground that I would be on to finish that story, but I think that if I left it there, a lot of people would make a conclusion that that should be told. What I'm suggesting is that one great big hole in the Young Offenders Act is that we can't identify the criminal. I don't mean that the seven-year-old boy next door who throws a rock through his neighbour's window should be plastered all over the front of the big national newspapers, but I don't see anything wrong with the neighbour being able to say, "Don't give Johnny any stones. He hasn't learned yet where to throw them."

To my way of thinking, and I think a lot of people have made this conclusion, by making that secret we

have not done a service to the youngsters of this country. We've probably done quite a disservice.

Up until last Saturday there were several pieces of legislation—the controversial replacement of the Young Offenders Act, increased penalties for stalking and home invasion, consecutive sentences for multiple murderers rather than letting them serve the time for two crimes at the same time, a revamped Immigration Act that would, among other things, help prevent criminals from pouring into Canada. In any case, those pieces of legislation that this country, presumably, needs and wants because they were introduced and so on have been thrown open and dusted under the carpet. They'll never see the light of day because the federal government, after a little over three years, has called a general election that will cost \$200 million and leave right out in the cold bills like this that may have improved life for some of the victims we feel so strongly about, for whom we're creating this office.

1740

I have a few other comments that I would like to make. I want to go over some of the things that will specifically be enacted when this bill is voted on and passed. This bill will help victims of domestic violence by implementing the most comprehensive domestic violence court program in the country. An additional \$10 million will be spent to further expand the program to provide emotional support and prepare victims as they deal with the criminal justice system, will expand the victim/witness assistance program.

We plan to do more. You ask me, "What more?" Listen.

To help ensure that the voices of victims are heard as they go through the justice system, 59 additional crown attorneys were hired to interview and prepare victims and witnesses.

To help victims of crime, wherever they are in Ontario—and don't forget that Ontario goes so far. Mr Speaker, I don't have to remind you that your riding comprises a very large portion of it. I want to tell you that, far and wide as it is, we're going to spend \$50 million through the victims' justice action plan to further expand the services for those victims of crime.

It's right here in the bill. Somebody asked me where. If we call that page 1, if we call that page 2, then just follow along on page 3 and I'll read it, very slowly.

Five hundred thousand dollars has already been provided to streamline applications for emergency legal aid, which has doubled the assistance to abused women seeking help.

The Ministry of Community and Social Services is also involved. I'm ever so glad to see the conscientious Minister of Community and Social Services in the House. I'd just like to commend the attention, dedication and commitment that this young man has made to that ministry. His ministry has allocated \$51 million in 2000-01 for emergency shelters and related services under the violence against women program.

Ten million dollars in annualized funding has been allocated to help children who have witnessed domestic

violence, to establish a transitional support program, and \$21 million has been allocated to more than 100 counselling programs for women and their children in 2000-01.

Another justice ministry, the Ministry of the Solicitor General, has allocated \$10 million annually for the expansion of services, including community-based programs such as victims' crisis assistance referral service and SupportLink, and to make services more flexible to meet the needs of northern communities.

The Minister of Municipal Affairs and Housing is involved. If I had more time, and I may have a little bit later, I'd include some of those programs. I have literally a litany of those programs to go over and I'm ever so glad that you offered the opportunity for me to point this out to the fine members here and in the audience.

The Acting Speaker: Comments and questions?

Mr Alvin Curling (Scarborough-Rouge River): Let me just see if I can refocus this thing. We're talking about the victims' rights bill, and you'd never know it from the member for Perth-Middlesex because he rambled along, not knowing what he was saying, until someone maybe slipped him some notes there.

This has been around since 1998—the same government that put in this victims' rights legislation. This legislation they put in has lips but no voice. All you see there is that it has been inactive for the last two years. I just want to recall to the dear member for Perth-Middlesex: remember that report, *A Voice for Victims*, sitting in the desk somewhere for two years, recommendations that should be implemented? Would you believe that most of those recommendations have sat there inactive?

Here is a government that is very committed to doing something for victims of crime, and nothing has been done. Is that the kind of commitment you're talking about? No wonder he had nothing to say in the 20 minutes he had. It's because they have done nothing. Even though they were guided by some recommendations, inaction is still their motive.

Take for instance the area of hate crime. B'nai Brith has been beseeching you about the increase in hate crimes that have been going on. What have you done? Nothing. Hate crime has increased tremendously in this province, but this government sat on their little tushies and did nothing so far.

I think again, as the critic for the Attorney General has always said, that this government is a lot of talk and no action. There's a lot of noise and nothing is coming out, just wind. I hope they will give them some more things to do, and do something for victims of crime when you get around to it.

Ms Martel: With all due respect to the member for Perth-Middlesex, most of what he had to say didn't have to do with Bill 114 at all. So I want to bring him back to Bill 114, because I would assume that he and his colleagues on the Conservative side want people to think that through this bill they're doing something for victims, that in this two-page bill there's something here that's going to give victims some more rights in the justice

system, give them some more fairness, give them their day in court, give them some remedy when their rights have been violated. I'm sure that's what he wants people to think. But the fact of the matter is that this bill doesn't do anything like that, and neither does the 1995 bill that this Conservative government brought in. Bill 23 has been exposed for the fraud, for the charade, for the joke that it is, and it wasn't me who exposed that. It was a justice in an Ontario court who did, who said very clearly that the bill had nothing to do with giving rights to victims, who said very clearly that in fact all the bill did was to define some principles. Justice Gerald Day made it very clear that it's nothing more than a statement of government policy wrapped in legislation.

What else did he say? I like quoting him so much I'm going to find some more. "I conclude that the Legislature did not intend for section 2(1) of the Victims' Bill of Rights to provide rights to the victim of crime." Imagine that. The justice said that the bill does nothing to provide it and that in fact the Legislature had no intention of providing rights to victims when the bill was passed.

Do you know what? The public, and victims in particular, would have been better served if the government had just trashed this piece of garbage—and that's what it is, Bill 114—and brought in a real bill that will give victims rights in this province.

1750

Mr Tilson: The member for Perth-Middlesex has said a number of things that have obviously irritated the other side, saying for example that a lot of what he has said is irrelevant to this bill. It's quite the contrary.

The problem that has been created by the federal government is that they have created a void. All of these things—domestic violence; crimes by young offenders; public victimization in public institutions, for example, schools—were mentioned by the member from Perth-Middlesex. Those are criminal offences, and there's a void that has been created by the federal government. They promised to bring forward amendments to the Young Offenders Act. Madam McLellan made a great speech that she was going to do this and do that, and she implemented this wimpy bill and then it died. That was the number one bill and it died.

If you read the bill, the provincial government under the Constitution is limited in certain things as to what it can do with respect to the Criminal Code. The Criminal Code is a federal piece of legislation. We're talking about criminal law and we're talking about victims who have been victimized by these people who commit crimes under the Criminal Code.

There's a section in Bill 114 that the opposition keeps referring to but they won't read it. Well, I'm going to read a section as to what this bill says. The Office for Victims of Crime shall advise the Attorney General on a number of things, which include "the development, implementation and maintenance of provincial standards for services for victims of crime." What's wrong with that? They say they don't like it. Well, they don't like anything.

Mr Duncan: I'm pleased to have the opportunity to respond to my colleague from Perth-Middlesex, a member whom I genuinely hold in some affection and esteem. But I say to him, as my colleague from Sudbury pointed out—and let me assure you I'm not irritated by it—that this bill really does nothing. It amends an act, being the Victims' Bill of Rights, this government's cornerstone policy, that Justice Day says "is a statement of principle and social policy, beguilingly clothed in the language of legislation." I went and got my dictionary because "beguilingly" is a big word. It has something to do I think with—it kind of misleads or isn't entirely truthful.

The Acting Speaker: You used the term that "beguilingly ... isn't entirely truthful." You can't say that indirectly.

Mr Duncan: Let me withdraw that.

The judge said, "beguilingly clothed in the language of legislation." Here is the operative clause: "It does not establish any statutory rights for the victims of crime," period. Full stop. All talk; no action. You can talk about Colin Thatcher, you can talk about gun control—and I support the federal government's gun registry and gun control. Let me be absolutely unequivocal about that. I support that.

This government is all talk and no action. They've dropped the ball on many occasions. This two-page bill is nothing but a smokescreen. It is designed to make it look like they're doing something for or about victims of crime when in fact they're not.

The member for Perth-Middlesex I know feels very strongly on these issues, and I hope he will persuade his caucus colleagues to bring forward meaningful legislation with respect to victims of crime.

The Acting Speaker: Response?

Mr Johnson: I'd like to thank the members from Scarborough-Rouge River, Nickel Belt, Dufferin-Peel-Wellington-Grey and Windsor-St Clair for their comments, and I wanted to address the member from Scarborough-Rouge River. I not only will have to speak awfully slowly, I'm going to have to speak awfully loudly. It is the critic's job to criticize and, yes, this bill doesn't say anything about hate crime, but it also doesn't say anything about taking illegal fish in Hudson Bay. This bill is to implement government policy. We have said that the victims of crime act must be implemented, and this bill helps to implement it.

Mr Garry J. Guzzo (Ottawa West-Nepean): You're losing them, Bert.

Mr Johnson: I'm sorry. I'll go a little slower.

The government has said, in policy, that we want to help those victims of crime.

Interjection.

Mr Johnson: For you who would like to interrupt, I'll say that isn't quite enough for us to espouse that as a policy. We must implement it into legislation that can withstand the criticism of some of those who have already made comment on it and have made up their mind on it.

The member for Nickel Belt says it doesn't do anything. I guess I'll have to read it to her again and go slowly. You're absolutely right. This does not give any rights, but like I said, it also does not control poaching in Hudson Bay. What it does is implement the government's stated policy to help those who need it.

Mr Duncan: Mr Speaker, on a point of order: I did not want to interrupt the member for Perth-Middlesex as he was concluding, but my colleague sent a picture over to him via a page, and the member for Huron-Bruce intercepted that message and it was not delivered. I would ask if that is something that the minister was entitled to do and, if not, what are the rules with respect to that?

The Acting Speaker: Minister?

Hon Mrs Johns: My colleague had two minutes to make a statement, and I didn't want him to be interrupted during the time. I'm happy to send the information over to him, but I don't think we should be interrupting during the two-minute statements when they have to compile information from four people speaking. I think it was a deliberate intent to disrupt the speaker.

The Acting Speaker: I would caution the minister that it is actually inappropriate for you to intercept a message sent by a member to another member in this House by way of a page. That's out of order. However, I would also caution the member that when somebody else is giving a speech in the House to be sensitive to interference in that speech in a way that might stop the flow or impede his ability to deliver his message. OK? But the minister was, in my view, out of order.

It being 6 of the clock, this House stands adjourned until 6:45 this evening.

The House adjourned at 1759.

Evening meeting reported in volume B.

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No. 95B

N° 95B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 25 October 2000

Mercredi 25 octobre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 25 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 25 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Madam Speaker: I don't believe a quorum is present.

The Acting Speaker (Ms Marilyn Mushinski): Would you check to see if there's a quorum, please.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker (Mr Tony Martin): Orders of the day.

MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES STATUTE LAW AMENDMENT ACT, 2000 LOI DE 2000 MODIFIANT DES LOIS EN CE QUI A TRAIT AU MINISTÈRE DE LA FORMATION ET DES COLLÈGES ET UNIVERSITÉS

Mrs Cunningham moved second reading of the following bill:

Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act, 2000, repeal the Degree Granting Act and change the title of and make amendments to the Ministry of Colleges and Universities Act / *Projet de loi 132, Loi édictant la Loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire, abrogeant la Loi sur l'attribution de grades universitaires et modifiant le titre et le texte de la Loi sur le ministère des Collèges et Universités.*

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): Mr Speaker, I'll be sharing my time with the member for Thornhill.

I'm very pleased and honoured to have this opportunity to celebrate the vast new opportunities that are opening up for our students. We know the world around us has changed dramatically in the course of our lives. We have seen the introduction of an era characterized by the instantaneous flow of information across borders, a fast-paced technological innovation that is creating whole new fields of study and work, and of the emergence of a global marketplace where our students must compete with the best and the brightest in the world.

I have extreme confidence in the ability of our students, and indeed our working adults, to seize the opportunities and meet the challenges that this change will bring. It is our job to assist them, to provide them with a full range of choices for high-quality education and training that they will need throughout their lives to reach their full potential.

1850

As Ontarians, we are proud of the investments we have made in our post-secondary education and training systems. We have all benefited from the highly educated citizenry that is the envy of other countries. I want to remind my colleagues that our success is the result of vision and conviction to ensure that our post-secondary education and training system is responsive to the needs of our students.

I'm reminded of a time in the early 1960s when the choice for a post-secondary system was limited to a university level program and one man had the vision to see that times were changing, that students needed more choices to prepare for the vast new opportunities that were being created in that time of growth and prosperity. I'm proud to say that the Honourable William G. Davis not only had a vision for a new system for those changing times; he and his government also had the courage and the conviction to create Ontario's network of new colleges of applied arts and technology that opened up a whole new era of learning, a whole new range of high-quality, relevant programs that would prepare students to enter the workforce.

Few would argue that there were skeptics when Mr Davis set out his bold vision for students. Where are those naysayers today? Who among us in this Legislature has not celebrated our colleges' commitment to our students? Our colleges have reached out to employers and built links with our local communities, all to ensure that the programs they offered continued to evolve so that students continued to have access to high-quality and relevant programs that kept pace with changes in our economy and made sure our students got jobs.

We can draw inspiration from that experience as we once again look forward to a time of growth, of opportunity and of innovation, and our government is doing that. We have a new vision. Our Premier, our caucus and our cabinet have a new vision for the future. Our vision is of a post-secondary system that provides high-quality learning, that is relevant to the real needs of students and the workplace, that will have a place for every willing and motivated student. Our system will be accessible to

people throughout their lives, lifelong learning to ensure they have opportunities where and when they are needed to upgrade their skills or acquire new ones.

Like Mr Davis, we are moving forward with our plan to turn that vision into a reality. We've already taken steps to strengthen our publicly funded system and to ensure it is responsive to the needs of students and communities. That is our first priority.

We are meeting increased demand for student spaces through SuperBuild, which, with our partners, is investing \$1.8 billion to create 73,000 new student spaces at our colleges and universities. This is the single largest capital construction commitment to post-secondary education in the past 30 years. We have already increased operating grants to \$2.4 billion this year to allow our institutions to begin to plan for this increased enrolment.

We are expanding access to high-demand programs through our access to opportunities program that will increase enrolment in the growth areas of science and new technology, and we have many private sector partners to assist us. We have introduced new programs and incentives to strengthen our system's research capacity so that we can continue to attract the best and brightest faculty and researchers. Our challenge fund right now is at \$550 million over 10 years, a huge investment, and with great recommendations from our post-secondary sector, our universities, we have established a base fund of \$30 million to support that great research in our universities and in our colleges.

I should mention our Premier's research and excellence awards: \$100,000 is given to each scientist who wins these awards to encourage them to stay in Canada, to do great research, to have assistance and to make sure the work they do will be a model for those who follow, so that we will always have our graduate students, new professors, new instructors there for our students.

Right now I will say we are expanding access, of course, in our research and development programs because it's necessary. That was a bold venture on behalf of our government. We're also ensuring that our community needs are being met through the introduction of a new nursing baccalaureate program and incentives for our medical students to locate in underserved areas where our people need them, where they count on them. As well, we're increasing enrolment in our teacher training facilities, our faculties of education. We are actually planning, over the next five years, to increase our training spots by 31,000 spaces. We hope we do have a plan to respond to the needs of our young people and our education system, and to the vision and dreams of young people who want to become teachers.

We are also taking steps to help students manage the cost of their education. This is very important. In our post-secondary system in Ontario, some 35% of 18- to 24-year-olds have access, a number that is greater than anywhere else in Canada and perhaps in North America. We are very proud of the opportunities our young people have, if they are motivated and qualified, to attend our

post-secondary systems. The taxpayers of this province are providing the largest amount of student assistance to our young people, so that they can all have that opportunity.

We are also taking steps right now through our Ontario student opportunity trust fund, which is over and above what we refer to as OSAP. We have established these funds at each of our colleges and universities, so that they will be accessible in a very personal way to those people who need them. In addition, we've announced a five-year tuition policy for young people who want to plan, along with their parents, for their dream to attend our post-secondary education facilities. This will see our increases capped at 2% per year for the next five years. This of course could mean an increase of \$34 for college students each year for five years and \$77 for university undergraduate arts tuition. This is what our people will be planning for. This is part of their dream.

This fall, more than 4,000 high-achieving students graduating from our secondary schools earned Ontario's first Aiming for the Top scholarships. When fully implemented, \$35 million will be invested annually in these tuition scholarships that recognize both academic excellence and financial need. Accessibility is our goal. Excellence is also our goal.

The introduction of the Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000 builds on our work to date and is another step in giving shape to our vision, our plan to support our students. Today I am moving second reading of this bill, which will continue the evolution of our post-secondary system by providing Ontario students with more choice when it comes to high-quality programs. If passed by the Legislature, this bill would be the next step in our comprehensive plan to bring post-secondary education into the 21st century and address the changing needs of students and employers.

I welcome the debate that this legislation has encouraged. Constructive discussions based on the realities our students face today are important to us and to our democratic process. It is vital to the development of informed policies to support our students as they pursue their goals in today's world. We always welcome discussion and debate.

1900

I'd like to take a few minutes to remind the members of changing realities today's students are facing. First of all, they are not of the traditional college or university age. Today's students reflect a wider cross-section of Ontario's population, from recent high school graduates to working students starting out in the job market to mature students looking for the specialized instruction they need to move ahead in their careers. Basically, we're trying to meet the needs of lifelong learners, no matter how old they are, no matter where they live.

A wider spectrum of students requires a wider spectrum of choice. Some students want access to programs that are not offered by their local colleges or universities. Others are working full-time and want more programs

available at times and places that are convenient for them. And let's not forget our college students, whose outstanding achievements have not, until now, been recognized with the degree credential that is essential for employment as they compete for specialized, high-tech jobs with Ontario employers who do business around the world.

Any one of these students could have families, and they need flexibility and they need choice. Any one of them wants to finish their degree or start their degree at any age. Right now we have far too many students writing us letters saying this is not possible, so we are looking for even better ways and more choices. We are committed to ensuring that all of Ontario's students have the full range of quality educational choices they need, where and when they want them, to compete and succeed in today's rapidly changing world. The Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000 would assist us in achieving that goal.

I said this bill helps us move ahead with our plan for post-secondary education. But I can assure you that this vision is based on extensive input from students, parents, faculty, employers and others, and not just hearings but letters, phone calls, meetings, meetings with members of this Legislative Assembly. They want choice. They want more choice. In particular, this bill does reflect advice we received during the many consultations my parliamentary assistant Tina Molinari, the member from Thornhill, and I had with stakeholders throughout the spring and summer and into the fall.

In addition to these face-to-face consultations, we encouraged everyone with a particular interest to submit in writing to our office their ideas and recommendations on the best way to implement this new degree-granting policy. In many instances, we met with them as well. We met with groups who had specific interests or concerns they wished to discuss. We met with over 150 individuals representing public universities and colleges, academics, private vocational schools, student groups, labour, business and various other associations. More than 400 copies of our consultation paper, "Increasing Degree Opportunities for Ontarians," were sent to stakeholders, and the paper was also posted on the ministry's Web site, so that everyone with an interest in our education system who wanted to and who took the time was able to participate.

The consultation process was very informative and very constructive. We gained first-hand valuable insight from the knowledge and expertise of those who participated, and much of what we heard is reflected in this bill. Based on those discussions, this bill, if passed by the Legislature, would essentially do two things: it would make amendments to the Ministry of Colleges and Universities Act and would replace the Degree Granting Act with the new Post-secondary Education Choice and Excellence Act, 2000.

The new Post-secondary Education Choice and Excellence Act, 2000 is enabling legislation. It will establish the Post-secondary Education Quality Assessment Board,

a very key component of the success of this legislation and the ongoing process. This board will establish rigorous standards to maintain and enhance the quality of programs available to students. Only after a full assessment will the board make recommendations to the minister based on the quality of the program and the institution's ability to provide it. We're underlining quality of the program and the institution's ability to provide it to our students, who come first. It is this process that would also make it possible for Ontario's colleges of applied arts and technology to grant applied degrees, and would allow for the expansion of more private post-secondary institutions in Ontario.

I'm proud to say that Ontario is home to some of the best publicly funded universities in the world. Our universities have been successfully competing on an international basis for many years. They have a strong record of academic achievement and are able to attract the brightest and best faculty and researchers.

We have much more work to do together with our colleges and our universities to make sure that we grow, that we're even stronger and that we actually maintain and enhance our commitment, which is our first choice in this great province, and has been for decades and decades.

Allowing the introduction of private universities will complement our excellent post-secondary system. Competition to attract students by providing more responsive programs will only serve to enhance quality and innovation in the province's post-secondary system as a whole. It will also bring our university system more into line with the range of choices offered in all other areas of education. Our elementary and secondary school students currently have a choice between private and public education.

In Ontario, we currently have 2,000 students studying in existing private universities, such as Redeemer University College in Ancaster, compared to more than 240,000 in our public universities and colleges. We have 42,000 students studying in private vocational schools, schools that give our young people opportunities to get good jobs in areas where they need them, whether it be business, technology or health-care-related. And we have 169,000 in publicly funded colleges of applied arts and technology.

I would like to correct what I just said: the 240,000 number is in our public universities; the 169,000 is in our publicly funded colleges. There are actually, though, some 90,000 students studying in our private elementary and secondary schools.

In spite of the efforts and the great commitment of so many of our citizens in this province who are involved in our post-secondary institutions, our universities, our colleges, our private vocational schools, in our training, whether they be involved in our apprenticeship training, our Job Connect programs, our school-to-work transition programs, our summer jobs, in spite of all of us, all of those terrific people who really like to work with young

people, in spite of all of this and all of our partners, we still have more to do.

And just as important to note, we have many students leaving the province to get the post-secondary education of their choice, because they could not get the specialized programs they wanted in Ontario. These students have been going to other provinces. We know them. They're our neighbours. They're our relatives. They're young people we talk to, sometimes in our own communities, sometimes in the workplace. They're young people who have been going to other provinces, to the United States and even abroad because Ontario has failed to keep up with other jurisdictions. It is estimated by the Institute of International Education that more than 7,000 students from Ontario are studying outside this great province.

Previous governments in Ontario have stood still while other jurisdictions have moved ahead to ensure their students had programs that responded directly to the increasingly sophisticated entry level skills required by a changing job market so they can get a job.

Many US states and Canadian provinces allow private universities to operate side by side with an extremely healthy system of high-quality public universities, including British Columbia, Alberta and New Brunswick.

In the United States, 22% of students are enrolled in private degree-granting post-secondary institutions.

Interruption.

Ms Marilyn Mushinski (Scarborough Centre): On a point of order, Mr Speaker: I thought that it was the Speaker's role to ask that there be no heckling from the public gallery.

The Acting Speaker (Mr Tony Martin): Heckling from the public gallery is not allowed. You'll be asked to leave if you continue.

Interjection.

The Acting Speaker: No, she's not. There will be no heckling from the members' gallery or the public galleries, or we'll have to ask you to leave.

1910

Hon Mrs Cunningham: In the United States, 22% of students are enrolled in private degree-granting post-secondary institutions.

Ms Mushinski: On a point of order, Mr Speaker: Would you ask that the members in that gallery stop making gestures as well as heckling?

The Acting Speaker: The member is correct. There are to be no gestures or heckling from the galleries. If there is, we will have no choice but to ask you to leave.

Hon Mrs Cunningham: World-renowned schools—

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: I would suggest, with all due respect, that it is your role to take that up, and it's not the role of the member for Scarborough Centre to harass the students who are sitting there. I think it's inappropriate for her to be standing up and asking you to rule on something she sees and the Speaker doesn't see.

The Acting Speaker: I will decide here what's a point of order and what's not a point of order. In fact, there was some heckling from the gallery and it is the privilege

of any member here to stand on a point of order and point to that if they so choose and to ask the Speaker to rule on that. I did, and hopefully there will be no more disturbance.

Mrs Tina R. Molinari (Thornhill): On a point of order, Mr Speaker: The clock did not stop during that point of order. I hope the Speaker would be flexible in the time allotted for us.

The Acting Speaker: I am not going to be, but I would hope that we would not have this kind of go-round for too much longer.

Hon Mrs Cunningham: World-renowned schools such as Harvard, Yale and Stanford are private degree-granting institutions. Britain and Australia also allow private universities to operate as a supplement to the public university system. In the late 1980s, Buckingham University in the UK and Bond University in Australia were established as private universities. Students in Japan, Mexico and Korea, to name a few, also have a choice of public and private universities.

While our competitors have moved to help students keep pace with these changes, previous governments in Ontario have put the onus on students to take the time to acquire two or more degrees and diplomas to get the right balance of academic and applied skills that employers require. For too long, we have watched as our students and their parents have been asked to assume the extra costs of getting a degree in another jurisdiction.

It is time for us to face reality. Students require more, not fewer, opportunities right here in Ontario, close to home where they have the support of their families and friends, and where the resources are not as expensive.

Interruption.

The Acting Speaker: Please have that person removed. Stop the clock, please.

Minister.

Hon Mrs Cunningham: My words seem somewhat appropriate. It is time for us to face reality, and the reality is that students require more, not fewer, opportunities right here in Ontario. We must ensure that the post-secondary system provides our students with a full range of high-quality choices.

While the legislation we are discussing this evening, if passed by the Legislature, would allow private universities to provide more flexible and relevant opportunities for Ontarians in a broader choice of fields, I want to send a clear signal to any potential applicants—and, I might add, to the members opposite—that quality education in Ontario is not negotiable. We are determined to maintain or enhance our standards of quality and protect the interests of students.

A private institution applying for degree-granting status in Ontario must meet rigorous criteria, both formal and informal. First it will need to meet or exceed the criteria set by the Post-secondary Education Quality Assessment Board. Second, it will need to have strong student protection measures. All new institutions will be subject to our key performance indicators that students are increasingly using to make informed decisions about their

education futures, and they are taking these decisions very seriously. They want to know what percentage of students graduate and go on to get a job.

I also want to remind the members that there have always been some private institutions in Ontario; this is not something new. However, for the most part, these universities had a religious foundation. We are simply proposing to extend the degree-granting authority to secular private institutions where there is a demonstrated demand from students.

Private universities will not receive public funding, capital or operating. The proposed legislation specifically addresses this issue, and I quote: "The giving of a consent does not entitle the person to whom the consent is given to any funding from the government of Ontario."

This government is committed to ensuring that new degree-granting opportunities are accessible to all Ontarians, regardless of financial circumstance. Therefore, students attending these new institutions will be eligible to apply for and receive financial help from the Ontario student assistance program once the institution has proven itself, and there are requirements. OSAP supports our students, not institutions.

As I mentioned earlier, the new Post-secondary Education Choice and Excellence Act, 2000 would make it possible for Ontario colleges of applied arts and technology to grant applied degrees. Individually and through the Association of Colleges of Applied Arts and Technology of Ontario, colleges have been urging the government for a number of years to permit them to grant applied degrees. Our students need them.

This expression of interest is the direct result of demands from both employers and students for advanced training beyond the diploma credential in specialized college programs that would differ in structure and content from university programs.

Allowing colleges to grant applied degrees would help us provide students with the wider range of choices they require. Colleges, with their links to industry, are well positioned to offer training in emerging areas. It is appropriate that this training be recognized with the applied degree credential.

Colleges will be permitted to offer applied degrees in areas where there is a demonstrated employer demand for degree-level applied education and training, and where current diploma programs are not fully meeting emerging needs. As part of the application process, proposals from colleges to offer applied degrees will need to demonstrate employer support.

1920

This credential is being introduced to colleges on a pilot project basis. Up to eight projects per year will be approved for three years. Examples of areas where college applied degree pilot projects might be granted include plastics, information technology, electronics, automotive design and manufacturing.

It is important to note, however, that the primary role of Ontario colleges will not be altered by the applied degree project. Colleges of applied arts and technology

will continue to focus their efforts on providing high-quality certificate and diploma programming in programs of one to three years' duration. At the end of the pilot period, the projects will be assessed and a decision made on how to continue permitting colleges to seek degree status for college programs.

This is another area in which Ontario has been lagging behind other jurisdictions. In Canada, colleges in Alberta have been offering applied degrees since 1995. University colleges in British Columbia and Nova Scotia offer a range of credentials, including degrees, diplomas and certificates.

In Michigan and other states, associate degree programs are two-year programs that prepare students for entry-level positions or offer credit recognition for university transfer. There are two broad categories of associate degrees: academic and applied associate degree.

As I mentioned, protecting students' interests is a priority, and this legislation also contains measures that would protect students attending private degree-granting institutions. Before granting consent for new private degree programs, the Minister of Training, Colleges and Universities would have to be assured that the institution could provide appropriate financial protection for students. An applicant would also have to make arrangements to ensure that students have access to their transcripts in the event a school closed.

As part of this legislation, we are also proposing to strengthen the enforcement provisions for violations related to degree-granting authority. This would include increased fines for offences of up to \$25,000 for individuals and up to \$100,000 for corporations.

The Minister of Training, Colleges and Universities would have the power to appoint inspectors to investigate whether it would be appropriate to change, suspend or revoke a consent for degree-granting authority. The minister would also have the power to suspend or revoke a consent to operate in Ontario. These measures will help to maintain the high quality of an Ontario degree.

Proposed amendments to the Ministry of Colleges and Universities Act would also give the minister similar powers with regard to the administration of the Ontario student assistance program. These would include permitting the minister to appoint inspectors to ensure that institutions are administering the Ontario student assistance program properly. This change would help us ensure both the viability of private institutions and the protection of both taxpayers and consumers. New provincial offences would be created to deal with cases of OSAP abuse.

The act proposes that an individual convicted of any one of the offences could be subject to a fine of not more than \$25,000 and/or a term of imprisonment of not more than one year. The act proposes that a corporation convicted of an offence could be subject to a fine of not more than \$100,000.

We are delivering on our commitment to crack down on OSAP fraud. These measures, if passed by the Legislature, would send a strong message that the Ontario

government will not tolerate misuse of taxpayers' dollars and would help us ensure that OSAP is fair to the majority of students who are following the rules.

Our young people are entitled to our assistance. So many of them work so hard to work throughout the summers and to plan in advance, many of them in our secondary schools working with their parents, to go on to post-secondary education. Many times they need our assistance, and it will be there for those who are qualified and those who are motivated. These young people need our support, and we cannot let those who do not follow the rules take away from those who work so hard.

These are the kinds of proposals we are in fact making. If passed, the legislation would take some inspiration from the past as well but keep a focus on our students' future. It is part of our vision for a high-quality, relevant system that provides all our students with opportunities for learning where and when they need them. The bill would promote greater relevance, flexibility and innovation in our post-secondary system, which would make it responsive to the changing needs of our learners. In doing so, it would help to ensure Ontario's continued prosperity and the future prosperity of our students. It would allow them to be working members in their communities who in fact want to give back so much that they have received. It would allow them to have a great quality of family life, where they have the time to be very active members in every way imaginable in these wonderful communities across this great province of Ontario.

Through our vision, and other elements of our comprehensive plan for post-secondary renewal, we have taken long-needed action to strengthen and grow our publicly funded post-secondary education system. We have added spaces to meet increased demand, we are promoting high-quality programs and research and we are helping students better manage the cost of their education.

We are so very proud of all who work in our post-secondary system to give our students what they deserve and what they need, of those who go beyond the call by providing our students with the kind of emotional support, the kind of mentoring support and the absolute desire to make sure that each and every one of them is successful. We thank everyone for helping our students in our institutions.

We are entering a very exciting phase in post-secondary education with this third expansion of our post-secondary system. At the end of the Second World War, we expanded the university system to accommodate the needs of returning veterans. These are very different times. In the 1960s, we witnessed Ontario again rise to the challenge by creating the college system, which has served us so well, and for which our veterans gave their lives. I don't feel they'll be disappointed now in the year 2000 as we are again rightfully looking at our post-secondary system with a sense of responsibility and vision. We're looking at reshaping the system for today's realities, realities such as a need for continual skills upgrading and the proliferation of on-line courses.

This is a new century. The last century moved from a system of elitism when it came to our post-secondary opportunities at our universities right through 100 years where we have the largest number of 18- to 24-year-olds attending our colleges and universities. Our post-secondary system is for all who desire, are motivated and in fact qualify to be there, and we should be so very proud.

If passed, this legislation would promote the choice, relevance, flexibility and innovation in our post-secondary system that will ensure it is responsive to the changing needs of all our learners, no matter how old they are, no matter where they live. In doing so, it will help to ensure Ontario's continued prosperity, the future prosperity of our students and in fact the quality of life in communities across this great province.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): On a point of order, Mr Speaker: I would just like to say that the member from Thornhill, who's going to speak next, is doing this on her birthday. I think we should thank her family for sharing this evening with us.

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Mrs Molinari: Thank you, Minister.

It is a pleasure for me to speak today in support of second reading of the Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000.

All of us share a vested interest in ensuring that our post-secondary education system responds to the needs of students and employers. We have all benefited from the highly educated and trained citizens who have passed through this system. This has been a key factor in our shared prosperity in recent years. Ontario already has one of the highest post-secondary participation rates in the world. But we can't become complacent in our past successes. We must move forward if we want to continue to lead Canada and most other countries in economic growth, job creation and prosperity.

That's what this legislation is all about, renewing our post-secondary system so that young people are prepared to lead full and productive lives. But it goes beyond young people. We also need to create an excellent post-secondary system that caters to non-traditional students, such as working adults, some of whom want to continue their learning while juggling the needs of their children, their aging parents and their jobs, and mature students who need opportunities to upgrade their education and training throughout their lives.

More and more frequently, traditional university students, too, are attracted to unique programs or delivery models offered by institutions that provide them with increased flexibility in scheduling their course load as well as greater access to a wider range of choices, no matter where they live in Ontario.

As parliamentary assistant to the Minister of Training, Colleges and Universities, I took an active part in the consultations that preceded the introduction of this legislation. Minister Cunningham and I visited cities across the province and spoke to stakeholders from colleges, universities and the community.

I hosted a consultation on Bill 132 in my riding of Thornhill. The stakeholders included in this consultation were: two university students, one from Queen's science program and one from York's liberal arts program; a university dean; a college professor; a university administrator; an owner of a private vocational school; and business owners. I believe the makeup of this group reflected the structure of all the consultations throughout the province.

This group also exemplified the collaborative effort of all participants to provide the minister and myself with visionary comments and suggestions for our consultation paper. We looked to these groups for their best advice on how to implement the policy decisions announced in April.

For some time, students, parents and employers have been asking the Ontario government to allow greater flexibility in the opportunities available to students to acquire the marketable skills they need to prosper in today's world. They asked for more flexibility in the way they could learn, and they asked for new types of programs, ones that would provide the right balance of academic and applied skills, the types of programs already available to their counterparts in competing jurisdictions.

That's why in April we announced our intention to increase the range of choices available to Ontario students to earn a degree. We announced that we wanted to create a level playing field, with opportunities for Ontario's colleges of applied arts and technology to offer applied degrees, and wanted to permit the establishment of more private degree-granting institutions in Ontario. We wanted these new initiatives to help our post-secondary system better serve Ontario's students, and that's why we asked our stakeholders for their best advice.

During the consultations, we heard many different points of view, but I was especially encouraged by the feeling that we were all working toward the same end: making Ontario's post-secondary education system serve the changing needs of students. The result is that we are here today to debate second reading of the Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000. This legislation, if passed, would allow post-secondary education in Ontario to come into step with other jurisdictions. Students in other parts of Canada, and in fact all over the world, have had access to forms of education denied to Ontario students: applied degrees and private degree-granting institutions.

The Minister of Training, Colleges and Universities has told you that more than 7,000 Ontario students every year study out of province because they have chosen another type of education. We want them to have the choice of staying in Ontario. If this legislation is passed, students will no longer need to leave home and accrue extra costs to get the type of education they feel will fill their educational needs.

The new Post-secondary Education Choice and Excellence Act, 2000, which would be created by the legis-

lation before us today, would make it possible for Ontario's colleges of applied arts and technology to grant applied degrees and would allow more private post-secondary institutions to establish themselves in Ontario. By increasing the range of options available to students in Ontario and establishing the Post-secondary Education Quality Assessment Board, we would be promoting excellence in our degree-granting institutions and making Ontario's education system the envy of the world by ensuring that our institutions are responding directly to the changing needs of our students, as well as to the requirements of those who need to upgrade their education.

As you have heard, the quality of these proposed new programs would be strictly monitored by the Post-secondary Education Quality Assessment Board. New applied degree programs and the degree programs to be offered by private institutions would be compared against rigorous criteria established by the board. The board would then make recommendations to the Minister of Training, Colleges and Universities about whether or not the proposal should be accepted. In order to carry out its duties, the proposed legislation would give the board the powers to establish review panels to assess the education quality of proposed degree programs, establish advisory committees and undertake research.

The Post-secondary Education Quality Assessment Board would be an important force for maintaining quality. There will be no compromise when it comes to the quality of education available to Ontario students. Clearly, if we are to give Ontario students the range of options they have been asking for, we need to be more flexible and innovative in how they are delivered, but not at the expense of the excellence and quality of the education content.

The same will be true of the applied degree programs. Applied degree programs will not replace or diminish the value of similar programs at the diploma level, nor will they duplicate university degree programs. Before the proposal receives approval, a college will have to demonstrate that there are unique employment opportunities for graduates of the new applied degree program at a level that is different from that of a diploma graduate or a university graduate in the same field.

This government is committed to securing a better future for Ontarians through high-quality education and stronger skills. Students and employers are increasingly looking for new combinations of skills to meet the demands of the rapidly changing global economy. Allowing colleges to grant applied degrees will provide students with the wider range of skills and knowledge they will need in a rapidly changing world. Colleges, with their links to industry, are well positioned to offer advanced training in emerging areas such as multimedia, plastics and automotive manufacturing, just to name a few.

I assure you that applied degrees will not be offered in areas traditionally covered by university programs. This was a message we heard quite clearly during our consultations. There needs to be a clear distinction between a

college applied degree and a university degree, particularly in the same field of study. We certainly agree with this. What Ontario students need is more choice, not more duplication.

Post-secondary education is a big investment for students and their parents. They make this investment in the hope of a profitable return in the form of a good job and a successful future. With the possible advent of new types of post-secondary programs, it is important that their investment be protected. That's why this legislation includes strong student protection measures.

Before granting consent for new degree programs to be offered by a new private post-secondary institution, the Minister of Training, Colleges and Universities would require an assurance that the institution could provide appropriate financial protection for students before degree-granting authority was given. We are also proposing that if an institution is closing down, it must make arrangements to ensure students have access to their transcripts through another institution or trustee. This system has been used successfully in other jurisdictions such as Australia.

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I would like to note that in addition to protecting students, this legislation would also protect taxpayers. Specifically, it would protect them from the abuse of the Ontario student assistance program, which is intended to help students in financial need get a post-secondary education. Under the proposed legislation, subsections 12(1) to (4), it would become a provincial offence to obtain awards, grants or loans to which a person is not entitled, to assist such activity or to fail to provide information or provide false information.

The amendments under clauses 12(5)(a), (b) and (c) introduce penalties for these offences. Persons convicted of such offences are liable to a fine of up to \$25,000 for an individual, up to \$100,000 for a corporation and/or up to one year's imprisonment. These penalties are modelled on the offence provisions in the Ontario Works Act, 1997. The Minister of Training, Colleges and Universities may appoint inspectors for the purpose of determining compliance with the act, grants and student loans. This new power will aid in ensuring that institutions are administering OSAP properly.

In conclusion, I would like to note that the legislation we are debating today is an excellent balance between giving students the flexibility they want and need in a post-secondary education and ensuring that the interests of students and taxpayers are protected.

The Acting Speaker: Comments or questions? Further debate?

Mr Alvin Curling (Scarborough-Rouge River): Mr Speaker, I thought there was an understanding that our critic for this portfolio had asked to stand down her time. Has that been arranged?

The Acting Speaker: Is that agreed? Agreed.

Mr Curling: Further to that, I would ask for your guidance here. If I lead off and our lead person is not here, does it go to the third party?

The Acting Speaker: No, you can start. You can do 20 minutes.

Mr Curling: Thank you, Mr Speaker. Although I did not anticipate being up so early, it is a pleasure for me to comment on this piece of legislation.

As I listened to the debate and the presentation of the minister and the other honourable member, I was not at all surprised by the type of commitment the minister has to post-secondary institutions and to college and university training, but I want to delve a bit more into this. First, I think the minister is going in the right direction, that of more choices. But you must be very careful about all this. We're going in the right direction in having more options, but I'll get to that later on.

The minister stated that they had consultations. I would still have hoped that a more open forum would have been around, so that more students could be involved in giving their concerns and input to this matter, because they have a tremendous amount of concern.

Let me put in a little background. In my background as a former administrator of a post-secondary institution, I have seen the frustration of many students from many angles, from financial support while they're at college, to how they access the proper training they need—and no availability of this training was there. Many of them have failed and dropped out of university or college for that reason. That concerns me a lot.

I heard the minister give compliments to Mr Davis, the former Premier of this province, who had opened the community colleges. Yes, I think it was quite a visionary thing to do at the time. There were many people who were not able to go to post-secondary institutions at the time, or go to university, and the opportunity came for them to go to community college. That has developed to be one very important aspect in our society today.

But we also found that the growing pains of the community college suffered tremendously, especially when this government started the cutbacks in the post-secondary institutions. As you know, \$400 million was cut back from this area and they have put back \$200 million. The only emphasis that we can hear each day is that the \$200 million went back, but still yet they are in a deficit of funding it more for those institutions.

We know, of course, that Ontario's rapidly changing, demanding workforce needs trained and skilled individuals. The government of Ontario needs to ensure the people of our province that education will be accessible and affordable for those who want it. Having more options doesn't really mean that it's more accessible. Sometimes with many of these options we have—and these private institutions that are going to be developed—we know that many of those individuals or students are unable to access them. It can be very costly.

Of course, the minister has assured us that no public funding will be flowing to these private institutions. That is not really so, as you and I know, Mr Speaker. I'm sure that a student who has OSAP will apply to these private institutions and will be able to get in anyhow. That's public funding money. That will more or less deplete

some of it for those who want to have access to the other universities.

I also heard the minister state that there are thousands of people going across the border to get the kind of education they want, which they can't acquire here. That is so, too; that is very much so. But the fact is that, because of the underfunding and the limited resources that these universities have here, they're not able to do that. Sure, we have one of the best universities in the world and we brag about that. If we have the best universities in the world serving our communities, why is it so difficult to get into some of these universities?

My daughter, for one, obtained her master's degree across the border after trying tremendously, making every effort to get into a university. She could not get into any university to do her master's degree, but had to be transporting herself almost daily across to Niagara Falls. Even having obtained her degree, she still would say, "Oh, I wish I had obtained my master's degree in Ontario." The fact is that there were no resources here to do so. The reason for that was the resources from this government for the support of post-secondary institutions were wanting. That is one of the main things.

I just have a short time, and there are so many aspects of it I want to touch on. I want to touch on some of the problems we may face in giving approval to have private universities here. A question is asked: what if they are folded up and they go bankrupt and they go out of business? A couple of things happen. The individuals who have applied to the university and may have invested a year in it and have borrowed money from the Ontario student assistance program would then still owe that money, although the government has said that if that happens, they will then come in and try to offset that cost. But the investment of that student, a year, is gone—the investment of boarding, lodging, all of that. A year of investment is all gone.

There is another concern I have, and I heard the minister and the other honourable member mention that they will make sure that credits are transferable. Let's for a minute talk about transferable credits. There are universities and post-secondary institutions here where even within the same university students are having difficulty in transferring from a nighttime continuing education program to a day program. Let me explain that a little bit. You were taking, for instance, an engineering program in the continuing education—let's call it Engineering 151—and you have passed. But you want to transfer into the day program. Some of the day programs will not even take that. That's the kind of game that's being played within the same institution.

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I would like to see some guarantee that if the institutions themselves are offering credits to any courses here, they are transferable to any and all other universities in Ontario. I'm not quite sure I'm assured of that, because, on the other hand, the minister is saying that a private institution can be created here only if they can demon-

strate that there are courses being offered that are not available in the other universities.

If you are taking courses and training programs that are not offered anywhere else in Ontario, when that private institution folds, where do they get that credit? How will they be credited with that? I think that's one of the issues that they should address, and they should address that pretty fast.

I am extremely concerned, while we're talking about viable options, about whether it is so viable at the moment that at a later time of the year when the chicken comes home to roost, when those places have gone bankrupt, the students themselves will have credits which are not valuable to them any more. It's nice to mention the fact that we're opening up more options—unless it folds—and that we're excited about private institutions, that we can compete.

I remember very well the funding formula that was instituted by governments over the years where the universities and the colleges there were trying to be creative in how to get funding from government. Sometimes the creative way of getting funding from government would put students aside. This was causing tremendous hardship on students. I know there are going to be very creative things that these private institutions will do in order to be certified in this province. That's why I am very deeply concerned that the sort of consultation that went on was inadequate and insufficient.

I know that this government is very impatient about any process that takes a democratic flow, where we have to wait for input, where we have to hear it over and over again. They are rather annoyed that people want to tell them in which direction they want to go, because they have an agenda, they say. They know it all. They already know exactly where the people want to go without asking them. Or they could ask two students from their constituency, "Sit down and tell me all about students across this province, and tell me what students are feeling," and because they've heard from two students they feel they have heard from all the students.

That's a shortcut to democracy that is rather dangerous. That is why we have legislation that is so inadequate; that is why we have people protesting. Students are coming here today very upset, and maybe some of the members here are concerned that they are demonstrating. They are demonstrating because they have a deep concern about where they are going, where they are going to go with their education and the opportunities that the government is affording them.

I would emphasize to this government that before you rush this bill through and before you take the applause and before you get the accolades, you should make sure you have the kind of input that is necessary to have good, sound legislation.

We also know that with this double-cohort situation we have created in the province, most of the grade 13s and grade 12s who are clustering and hustling in to go into university are finding that there are no spaces. We're going to find further down the road that when they are

about to graduate, too, there are going to be a lot more people seeking jobs because a lot more people are graduating in that way.

I don't think they have planned it at all. I think this is more or less a strategy to say, "We are doing something to accommodate all those double cohorts who want to go to university or post-secondary institutions." They are saying, "Here we are making opportunities." They created the crisis. I agree it looks rather good, that if we are responding to a crisis in this way, people will applaud it. But the fact is, they saw it coming, and when the crisis wasn't there, they created it and are today taking applause for the things they have done. This is really just a Band-Aid remedy. I can see this. It's a Band-Aid remedy for a crisis that really has been created by Mike Harris and his government.

I again emphasize that the affordability aspect of it is of great concern to me. I don't think it will be one bit more affordable. I think the situation here, if it's not carefully managed and monitored, will deplete the sort of funding we have going to other universities that are being publicly funded, and this concerns me a lot.

I remember a strategy that was implemented by this government, saying they will match any funds that any other university gets. Therefore, here is a matching-fund process that people are encouraged by. Take, for instance, the University of Toronto against Laurentian University. There's no doubt that the University of Toronto can command a lot more attention from many prominent individuals who will fund and give money to the University of Toronto much easier than Laurentian University. The University of Toronto of course in their wonderful way, which is a tremendous university, one of the best in the world, would get a lot of money in order to carry on their budgetary expenses, but Laurentian itself, being located in a smaller city, in a smaller town, is not able to command that kind of money.

The funding formula is short-sighted, inadequate and discriminatory, because those who live in those areas will not be able to get the kind of research funding they need. I think that's where government comes into play to make things more equitable, to see that it's fair, because sometimes when we start thinking of it as a business, as we have seen it here, that they must survive and create their own business, getting their own funding is much more difficult because it's not a level playing field. In Toronto where the University of Toronto is established, it's easier for that university to get money, but for Laurentian and other universities outside of Toronto it's not that easy.

So while it looks rather good, it's not created. You know who could have told them all that? Consultation with students, consultation with business people within that community could do that. But when we have a very short consultative process, what happens is that we get very short-sighted legislation and then we have to be dealing with it and amending it later on.

The university in my area, which is Scarborough College, a part of the University of Toronto—there were

comments made by the new president of the University of Toronto when he was inaugurated the other day. He spoke about the fact that when he went to that university, he found that most of the students—well, as you know, the majority of students are visible minorities. As a matter of fact, over 50% of those individuals were people whose parents were not even born in this country. He made a rather interesting comment here, and I'm trying to find it. When he went to the Scarborough campus of that university, there were about 255 parents present at the orientation, and he said that only five of the 255 parents had previously sent a child to college or university.

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Things have changed now. Many of the individuals coming in are students whose parents have never been to university. The opportunity for a post-secondary education is tremendous for those individuals. We must be sensitive to them. The ones who are going to flock to these private universities are those who did not get into the traditional universities here. I say to the minister, as an individual whom I can appeal to and be sensitive to, that these private universities and private institutions that are coming in should be monitored carefully. The fact is that most of the people who will be attracted to that are individuals who may be denied entrance to other universities and will be flocking to that university. If they go bankrupt, then the dreams and aspirations of those individuals are gone entirely. The people there are trying pretty hard. As you know, new immigrants here are the ones who are struggling through the process, trying to identify and deal with the challenges of a new country.

The Scarborough campus is only one of the universities that are like that, but many other universities are in the same predicament or the same situation. The community colleges attract a lot of visible minorities and immigrants who are looking for courses in order to advance themselves and to be good citizens in our community and in our country.

In the last few minutes I have, I want to address the brain drain. I am one of those who don't believe there is a brain drain. Our country, Canada, depends on all these immigrants coming here. We get the best and sometimes the brightest coming into this country. We get more people from outside our country with brains and intelligence coming here. So the brain drain game is not quite as real as you see. Yes, there are people who will go across the border, and I think we should say "Wonderful," because it encourages better trade, a better expansion of all the things we have.

There is another debate: those who are professionally trained who are still not accepted here in this country, who are not given the opportunity to get certification for the qualifications they have. Of course, you are quite familiar with the access to trades and professions that I have always touted—that has been around a very long time; you may say it's from our time—but it has not been implemented. Those are some of the resources and some of the training that I'd like to see you focus on.

If the private institutions are coming here, they can assist in delivering those professionals to their trades and let them be certified here. I know the challenge you have is not quite legislation; it is those associations and institutions that hold the bag and the power and dictate to government. I want to see you very firmly do that and challenge those associations to accept those qualified individuals, and you, the government, make sure they do that.

While I do welcome the direction in which you are going, I am very cautious that it is going to be successful.

The Deputy Speaker (Mr Bert Johnson): Comments and questions? The Chair recognizes the member for Dufferin-Grey-Wellington.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'd like to respond to the member from Scarborough-Rouge River. I must say I always admire this member when he stands in his place because, generally speaking, I can never figure out whether he's for the bill or against the bill. At this particular point, I'm going to assume that he's against the bill, but he may wish to correct that in his response.

There seems to be some resistance that is being put forward against the private university. The history of the private university goes back to medieval times. The origins of the university come from a private institution, from the church, and gradually worked through time until universities became dependent upon governments to operate. We've spent a lot of time in public accounts. The auditor can only audit certain portions of university accounts. They can't audit the portions that come from bequests or donations from alumni or others, and that has given some great consternation.

The private school—I'm talking about the private elementary school or the private secondary school—has existed for many years in this province. They are very reputable schools. People go to them. They go on and become well-known. There are probably people in this House who have attended those schools.

I think the real issue is choice. What's wrong with expanding the option of choice? There are examples of choice in other universities around the world. There is a program at the Central Michigan University which offers a master's of education in community college. You can't get that anywhere else but you can get it there. Charles Sturt University in Australia, a private institution, offers a program in medical imaging. You can't get it anywhere else. We're for choice, and I hope you are too.

The Deputy Speaker: The member's time has expired. Comments and questions?

Mr Agostino: I'm certainly pleased to follow the comments of my colleague from Scarborough-Rouge River.

I listened earlier with great interest to comments by the minister and her parliamentary assistant, and as I look at this piece of legislation I really see it as a missed opportunity for this government. I'm surprised because I know this minister. I know how this minister normally thinks and functions within the realm of our public

colleges and universities, and this is somewhat of a departure from that.

I really believe this would have been an opportunity for the government of Ontario to invest some of the \$400 million that was cut out of colleges and universities in 1996. You're still \$200 million short from the funding in 1996 for our colleges and universities across this country. We're still one of the lowest per capita funded university systems in Canada. Ontario, which prides itself to be the leader, where the Premier goes out of this province and tells everyone how wonderful our university system is, how wonderful our students are, still fails to fund universities and colleges anywhere near what most other provinces in Canada fund per capita.

And now the introduction of private universities, the expansion of private universities. It really is nothing more than a smokescreen to cover up the failures of this government to address the real issues facing university students. Skyrocketing tuition fees—out of control. You look at the promises made by Mike Harris when he was Leader of the Opposition about what he would do with university tuition fees. You've seen now university tuition go through the roof; students on average \$40,000 to \$50,000 in debt. It has become already, under the current system, not whether or not you have the ability or the drive to go to university and graduate from university; it's become a question of, does your family have the money?

That is not the Canadian way. That certainly is not the Ontario way of the university and college system we have built. I'm disappointed that the government didn't use this as an opportunity to enhance our system rather than bringing in private sector companies.

Mr Garfield Dunlop (Simcoe North): It's a pleasure to stand here this evening on the second reading of Bill 132, the post-secondary excellence act. I'd like to thank Minister Cunningham and the parliamentary assistant, Tina Molinari, for bringing forth this legislation. It's brought some very interesting facts out that I wasn't 100% aware of earlier. I know the act deals with the use of private universities, but in my particular community, the riding of Simcoe North, we don't have a university. The nearest university we would have access to would be York.

In working with the private sector and working in partnership—which is what our government is all about, and we are very proud of that—Minister Cunningham announced earlier this year a \$17-million program at Georgian College in partnership with York University that will eventually allow Georgian College to have university degrees at that particular college.

I'm really pleased because tomorrow I can't be here in the morning; I'm going to Georgian College for another partnership arrangement. It's with Georgian College, the Ontario Provincial Police Association and the OPP. We're going to announce a program dealing with the Georgian College facility in Orillia. That particular facility will be dealing with law enforcement programs. We're very proud of that because included in that will

eventually be a huge gymnasium for training courses that the Ontario Provincial Police will be using.

In summary, I'd like to thank the minister for bringing forth this legislation. I really believe in a partnership, working with the private sector. I believe working in partnerships is a smart way to do business as we enter the 21st century.

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Mr Steve Peters (Elgin-Middlesex-London): I think when you look at the foundation that's been built in this province between our university and our community college system, it's been a good foundation and we've offered our students a good opportunity for a higher level of education. Unfortunately, we've seen that foundation eroded by the attitudes and the direction of this government. We've seen \$400 million taken out of the post-secondary education system. We've seen our post-secondary education across this province fall to 59th out of 60. And now what do they want to do? They want to further erode the system and destroy the very foundations of post-secondary education in this province by bringing in private universities.

At a time when we should be looking at further support for the post-secondary and community college system in this province and using and building on that existing system, no, this government doesn't want to do that. They want to change the rules and add another dimension to it. They should be investing in a system that has supported me. I look back with pride at the time I spent at the University of Western Ontario and the opportunity it gave me. But what a change from \$1,300 tuition first year in 1982 to what it is today, because this government has betrayed the students of this province today and watched these tuitions skyrocket. This isn't going to be giving new opportunity. It's going to hurt the existing system that we have in this province.

I think we need to and I would encourage the minister to talk to the students, listen to the students in this province, listen to the Ontario branch of the Canadian Federation of Students and what they're saying. The federation of students is saying, "Students are not going to stand by while they erode and destroy access to public education."

The Ontario Confederation of Faculty Associations: "The system is already starved." How can you further starve, how can you further destroy, the system of post-secondary education in this province?

Minister, do the honourable thing: repeal.

The Deputy Speaker: The member for Scarborough-Rouge River has two minutes to respond.

Mr Curling: Let me just thank the members from Elgin-Middlesex-London, Simcoe North, Dufferin-Peel-Wellington-Grey and Hamilton East for their comments.

I think he hit it right on when he said he's not quite sure. What he heard from me was that I want so much to support access and more viable opportunities for students. I was right there to support that, but I continue to be concerned about the cutbacks, the \$200-million dollar shortfall. I continue to be concerned about the 60% increase in tuition fees since this government has taken

power. I continue to be concerned too about the indebtedness of students, who are averaging almost \$25,000. I continue to be concerned that you are moving into the direction of education as a business.

What you heard from me was, yes, I want to support it. I would not be able to support this legislation unless those areas are resolved very clearly and students have more viable opportunities in which to have access to post-secondary institutions.

I'm concerned about the double cohorts who are coming out and really not having a real opportunity to access the universities or post-secondary institutions.

I continue to be concerned about the access to trades and professions, where many, many of our people of Canada here are not able to exercise the potential which they have, and the lack of movement in regard to the government doing that.

Therefore, member from Dufferin-Peel, yes. What you heard is that anxiety to do so, but what you also heard is that I would not be able to support this legislation under these conditions.

Interjections.

The Deputy Speaker: Order. I have two things. I want to tell the member for Dufferin-Peel-Wellington-Grey that I am sorry I missed part of his riding when I introduced him.

The other thing I want to do—I can't because I'm prohibited by the rules of the House, but if I could have, I would want to point out to the members the guests in the east gallery from the Canadian Automobile Association, particularly Dave Jarrett and Don Mann, and others from the Canadian Automobile Association. If I could have, I would like to have done that.

Further debate?

Mr Tony Martin (Sault Ste Marie): I am quite anxious to have an opportunity tonight to put some thoughts on the record re this piece of legislation. Right off the bat, I just want everybody out there to know, and everybody in this place to know, that we will definitely—I forgot to ask for permission to put off for this evening our leadoff until another time.

The Deputy Speaker: The member for Sault Ste Marie has asked for unanimous consent to put off their leadoff debate. Is it agreed? It is agreed.

Mr Martin: Thank you very much, Speaker.

I want to put on the record right off the bat that we fundamentally and absolutely oppose this piece of legislation, this approach to the provision of post-secondary education in this province. I think it is absolutely the wrong way to go, totally the wrong way to go. It is not in keeping in any way, shape or form with the traditions of this country and this province and the things we've been doing over quite a long time to try to find ways to include people in our society, to give them the education they need so they can participate in a fulsome and wholesome way and, at the end of the day, realize the rewards of that contribution.

To be heading down this road indicates to me a continuing infatuation by this government with all things

American. Everything the US does, you'll note by some comments I will make later, driven by the North American free trade agreement that the Americans, under Brian Mulroney—

Interjections.

The Deputy Speaker: Order. We'll not have these conversations back and forth. Take my word for it: if you want to have them, have them somewhere else. Take my word for it. The Chair recognizes the member for Sault Ste Marie.

Mr Martin: I was saying that this legislation, like so much of the legislation this government brings forward day after day, is driven by an infatuation with everything American, almost an obsession with the American way. There's no recognition at all that there is in place in this country a Canadian way, a Canadian approach to delivering public goods, to putting out opportunity for people to participate and to encourage people to participate in the public life of the communities in which they live. This piece of legislation belies the contribution government has made over a long period of time to the public good in this province. This government will, with one stroke of a pen, and seemingly without too much thought, move us in a direction, as the students who were here earlier this evening and others around this province, I'm sure, will tell the government over the next few weeks as we discuss this piece of legislation, that will cost people more than ever before and in fact will close the door on more and more students as we move more and more toward the private delivery of post-secondary education.

To listen to the minister and the parliamentary assistant, you would think this piece of legislation is about improving education, about improving access, about improving quality of education in this province. I'm here tonight to tell you that it's not, it's absolutely not. It is about nothing more than taking money out. It's a new angle on spending less money on post-secondary education in this province. It's a new angle on providing access to those who already have enough access, who can already afford, as the minister has said, to buy private education outside this province if they want. It's another angle on this government's putting more and more of the load, the cost of education, on the backs of students and their families.

As a matter of fact, there's a piece in this legislation which speaks about a more punitive attack on students who are already finding it difficult. Any of you here who spend any time at all in your constituencies on Friday or between sessions of this House will understand that one of the biggest caseloads we have these days is students who have OSAP loans who cannot get relief, who cannot see a light at the end of the tunnel, who are having a difficult time having any hope whatsoever about their future because they have this terrible debt. This piece of legislation is going to go another distance to creating more anxiety in the lives of those students. They now hear, in very inappropriate ways, from collection agencies phoning them at night, harassing and threatening them. Now they will have over their heads the spectre of

a huge possible fine, adding to the money they already owe, or the possibility that they might end up in jail. Students in this province facing average debt loads of \$25,000 will now face \$25,000 fines and a possible prison term for receiving OSAP to which they are not entitled.

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How does this government define entitlement? The ministry is now doing audits that compare a student's T4 with income reported in his or her OSAP application. This is part of Management Board's announcement last November that the Conservatives will be cutting student aid by \$16.3 million. This isn't about helping students. This isn't about relieving students of the load, of the cost of education. This isn't about access. This isn't about improving quality of education. This is about cutting student aid in this province by \$16.3 million. That's what this is about, and let there be no bones about it.

What does this mean? Students who have to work, in addition to collecting OSAP, can be liable. Many students are unaware of this change and thus will be in jeopardy of receiving a jail term or a \$25,000 fine. Low- and middle-income students will be targeted under this unfair bill—another group of people in this province already marginalized, already finding it difficult, already out there struggling to make ends meet to try to put together an education and pay for it, another targeted group. That's what this government is good at. At the end of the day, I think that's all they'll be known for being good at: targeting people, creating division, abusing people and setting people aside.

Ironically, given the bill's title, students who are awarded scholarships for excellence may also be caught by this bill. Scholarships are considered income. If a student does not know to report a change of income to OSAP, he or she may be guilty of an offence—creating another offence. You'll remember, Mr Speaker, that we had a group of young people out there struggling to put a few pennies in their pockets to pay for some food who came up with the unique and, I think, rather enterprising way of getting a few bucks by going out and washing people's windshields with their squeegees. What did this government do? Instead of sitting down and talking with them about programs that might get them back into school and give them some other opportunities, what did they do? They created a new piece of legislation that made it an offence. They're going to throw them all in jail. This is their answer to everything that confronts them, that presents to them as a challenge. Now we're going to target low- and middle-income students in this province and make it possible that they might be guilty of an offence and have to pay a \$25,000 fine or go to jail.

Minister Cunningham said today in the House that our federal trade minister has assured the provinces that education is not on the table at the next World Trade Organization general agreement on trade and services negotiations. This was in response to a Conservative question. This sounds like Liberal permission for the Conservatives to privatize at will. The minister, however,

didn't say anything about a NAFTA challenge following the privatization of universities.

The legal opinion given to both CUPE and the Canadian Health Coalition on Bill 11 clearly shows that once a government throws away a NAFTA reservation—for example, protection of the education or health sector—the reservation is gone forever. This means that any corporation has to be given national treatment; that is, either public and private institutions get government funding or none get government funding. Education services are covered as investments under NAFTA. NAFTA permitted provincial governments to exempt government measures that would otherwise be inconsistent with certain NAFTA investment chapter obligations as long as these measures, such as private universities, were already in force when NAFTA came into effect on January 1, 1994.

NAFTA requires that all future changes be more consistent with NAFTA. A province that changes its old practices loses the protection of the public service in question. In this case, lifting a ban on private universities is a change of practice. Once the protection is spent, it can never be renewed. If a future government ever wanted, for the public good, to renew the protection or return the service to the public domain, it would be considered expropriation under NAFTA. This means the government would have to compensate the private corporations for present and future losses.

I would suggest to you that what's going to happen in this province is that more and more of our post-secondary education will be privatized because that's where the corporate money will go, and that's where a lot of the students in this province who are better off will go. The focus will be on those institutions. The rest of us will have to take whatever is left, whatever falls off the table.

It will deny for the first time in this province the government's ability and responsibility to go across this province and provide to every community opportunities for people at whatever level to get trained, to get retrained and to get into the workforce. Lifelong learning: we've heard that from the folks across the way; I don't think they understand it.

We know, Mr Speaker, and you know, that there was a time in this province when it was deemed that to get into the workforce you needed a grade 8 education. The government rightly decided that it would pay for elementary school for all students, because it knew it was in the best interests of the communities in which they lived to make sure that everybody who called Ontario home had an elementary school education.

Then, as life unfolded and things evolved, we discovered you needed a secondary education. Entry level for most jobs in this country became at least a secondary education: grade 12 or grade 13. The government in its wisdom, and I agreed with the government, decided that should be available to all students at no cost, publicly delivered, publicly funded.

I suggest that in the world we live in today—we hear a lot about this from across the way—times are changing,

times are evolving and we have to stay with it. Rather than moving in this American-obsessed way of privatizing and setting up private universities, so that those who can afford to go to those kinds of institutions can have free access and perhaps, in their thinking, free up spaces in the more publicly funded institutions for the rest of us, we should be moving to providing education at the post-secondary level to all students in this province free of charge, because that now is the entry level for any job that is available in this province.

I suggest to the government, if they are interested, that they might want to look at some other jurisdictions and see what they're doing around this world.

Mr Tilson: We are.

Mr Martin: No, you're not. You're obsessed and fixated on the US, on the American way. Look at Ireland, for example. I was there twice this summer. When they decided to change their economy, when they decided they needed to do something different to improve their economy, to improve their lot in life, to give the people who considered Ireland home a better shot at making a living and getting on with their lives economically, they looked at education. They decided that's where they needed to start.

Instead of moving holus-bolus and looking at the Americans and being totally taken in by the American experience and example, they looked at other places in the world like Scandinavia and some of the European countries. They decided that what would be in their best interests wasn't to privatize universities and colleges, but to give universities and colleges more money so they could expand to offer the kinds of opportunities the people of Ireland needed to participate in the new economy, and they decided to make tuition absolutely free in those institutions.

Anybody in Ireland who qualifies—I have to say that it is a challenge to qualify and I agree with that—and has the potential to go on to college or university in Ireland today gets to do that absolutely tuition-free. They're one of the leading economies in the world today, not riding on the shirt-tails of the United States economy, not riding on the shirt-tails of the European economy but leading the European economy.

Just this last spring and early summer Ireland became the number one exporter of software in the whole world, a country that 10 or 15 years ago was struggling to make ends meet with a very stagnant economy, with a very so-called narrow, old economy. Very much driven by their belief in public education, by their belief that education was essential and fundamental to any success they would have, very much based on the fact they've now made education available to everybody and anybody who has the potential over there, and because they've done away with tuition fees and decided to invest in education in a major and big way, now they're leading the world. Their economy is one of the best.

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I was going to share with you some of the objectives the Irish government has put out. The Irish government is

very much into central planning, very much into being involved, being an activist participant in the changing economy over there. They put out a three- and five-year program every so often that includes everybody in its development. Their fingerprints are all over it and they will participate in it as it moves forward and moves ahead.

There's a program they put together that I picked up on when I was over there in June called program for prosperity and fairness. These folks here might understand the concept of prosperity but I don't think they understand the concept of fairness, because this bill certainly doesn't speak to fairness; it doesn't speak to fairness at all. As a matter of fact, it's as far away from fairness as anything I've seen yet that they've brought forward to put before this House.

I'm absolutely shocked by and I abhor what I see in this bill and what we're looking at doing here tonight in this province, and the road it will take us down when you consider NAFTA and what that then forces us to do as we move forward and as subsequent governments try to do the right thing and make the changes that are required, if and when subsequent governments get that opportunity.

I need to talk for a couple of seconds while I have a little bit of time left tonight about my experience of how colleges and universities worked in this province back in the 1960s and 1970s under Bill Davis, and then under David Peterson and Bob Rae. Colleges and universities were expanding, providing opportunities to people in every part of this province to participate in an exciting and hopeful and cost-effective way.

When I first got out of university, having had a combination of grants and loans, I remember arriving at my first job with a student loan of about \$3,000. I was able to pay that off over a period of a couple of years by working and taking advantage of the education I was provided with at some cost to the people of this province. I feel I've returned that investment in me probably 10 or 20 times over in the last 30 or 40 years, as will my children, I suggest, given the same opportunity.

I know that in small communities across Algoma in the 1970s, Sault College, for example, was one of the leading vehicles leading economic renewal and diversification. In places like Wawa and Chapleau, I worked for the college. Those of us who worked for the college in those days felt like we were missionaries. We were driving here and driving there and passing each other on the road, setting up programs, talking to people about what they needed to do to get back into the workforce if they lost their jobs, if the economy changed.

You know the cyclical nature of a resource-based economy. That's what we've been in this province and I suggest to you that, when the virtual economy that's happening out there right now comes back down to earth, we will return again to dependence on the resources that we have and that we are.

Colleges need to be out there helping us to adjust and take advantage, and to roll with and move along, helping

us to protect the communities we've all invested in so that they don't simply dry up because some big, multinational corporation in New York decides it wants to move its money from here to there overnight and we're left holding the bag.

It's colleges and universities, able to move in and out of communities, able to provide a variety of opportunity to students, that will be the fundamental underpinning of any future we have together in this province, any creative and exciting and civilized involvement of all the people who call Ontario home.

We shouldn't be doing that by bringing in legislation that simply focuses on people who can't pay back their student loans, and making it so punitive that by not paying back a student loan, you could actually end up in jail. That's not the way to go in this province in the year 2000, to be taking baseball bats to students who work hard, who want to participate, who want to advance, who perhaps for who knows what reason make a mistake or misjudgement.

This government wants to throw them in jail. You want to throw welfare people in jail, you want to throw unions in jail, you want to throw teachers in jail, you want to throw the poor in jail and now you want to throw students in jail. Who's next?

The Deputy Speaker: Comments and questions?

Mr Tilson: I must say, I always enjoy the member. He never veers from his party politics whether in opposition or whether in government, and that is a philosophy that there's only one way to do things, and that's by fully government-operated institutions. That's the only way. We saw what the former government, the Bob Rae government, did with housing and how they destroyed housing in this province. Their philosophy is, "Our way is the only way. Big government is the only way to do it."

I guess that disappoints me because we on this side, on the contrary—and you know that; we're perfectly clear to you as well—believe in choice. We believe there's more than one way to do things, that government can't do everything. That's why we believe in encouraging private institutions to operate facilities.

It's not a new idea. It's done, as I indicated earlier in the evening, with respect to private elementary schools and private secondary schools. It goes on all around the world, and they work. Those systems provide programs that aren't offered by these government-run institutions. They're not quite government-run institutions, I appreciate that, but certainly the private institution is, contrary to what you're saying, not funded by the government. The comments that you made to the member were that the government would be taking money out of the system. That's simply not true.

We believe there is a need for independence, we believe there is a need for choice, and we certainly believe that government isn't the only way in which to educate the people of this province.

Mrs Claudette Boyer (Ottawa-Vanier): I wish to congratulate the member for Sault Ste Marie for having so clearly stated his opposition to the bill.

My colleague from Dufferin-Peel has said that it's everywhere around the world and that it's a good thing to do. Maybe we don't have the courses or what we want, but maybe if this government would put more money in our public universities and colleges, we could do it. I'm talking about more.

My leader—

Interjections.

Interjection: I can't even hear her.

The Deputy Speaker: Order. I can't either. There's no need of that. If you insist to do that, go way, way down the street and do it. Don't do it in here.

Mrs Boyer: My leader Dalton McGuinty and my Liberal colleagues of course support and demand increased investment in our public colleges and universities. We support Ontario colleges in their efforts to offer new programs to Ontario students.

C'est vraiment grâce à mes collègues de Renfrew-Nipissing-Pembroke et de Thunder Bay si dans mon comté d'Ottawa-Vanier, dans la province de l'Ontario, on a eu notre premier collège francophone, la Cité collégiale.

But let me tell you that we surely do not support the introduction of private universities that will draw precious funds away from our public institutions.

Isn't it Mike Harris who promised every motivated and qualified student a space in our universities and colleges across the province? Yes. But not at a cost of \$40,000.

Hon Mrs Cunningham: Obviously, one wants to have a response to the legislation, but we also want to have facts.

I would ask the member for Sault Ste Marie, if he really wants free tuition for our students to go on to post-secondary like they apparently have in Ireland—I didn't know that—why then, during the tenure of the NDP, would university tuition increase by 50%? Why, during the tenure of the NDP, would college tuition increase by 36%?

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Again, the member from Elgin-Middlesex-London, who paid \$1,300 when he was a student at the University of Western Ontario—I'm looking at my colleague and friend. I think it's very important for everyone to understand that there have been large increases in tuition, but during his government's tenure, university tuition increased by 35%; college tuition increased by 29%. Let me just say this. We really feel, for accessibility, that in fact young people need a plan. That's why we have capped increases for five years at 2%. I gave the numbers for parents so that they could save money and plan for the future, because the culture in North America and Europe is that parents do need to know so they can plan.

Now, if we're all so concerned about this government and everything is so bad, why, in fact, under the NDP in 1990-91 were 25% of young people enrolled in our post-secondary? During the Liberals, before that, fewer: 23%. At this time we have 35% of 18- to 24-year-olds. These

young people want to come to our colleges and universities, and we're making them accessible.

The Deputy Speaker: The member's time has expired. Comments and questions?

Mr Agostino: I congratulate my colleague from Sault Ste Marie for putting the case very well as to the way this government approaches university funding. I guess the difference between that and what we as Liberals and Dalton McGuinty and our caucus believe is that you believe university funding is an expenditure. We believe university funding is an investment, an investment in young people, an investment in the future.

When the Minister of Colleges and Universities went on about the facts about the other governments, I wish she would also have included the fact that under your watch, tuition fees have increased by a whopping 60% across the province. Those are the real facts. You cut \$400 million in 1996; you only put \$200 million back.

Now you say, "Trust us: no public funding for universities," just like you said, "Trust us: we're not going to close any hospitals across Ontario," just like you said, "Trust us: we're not going to cut any funding out of public education across Ontario," just like you said, "Trust us," I say with all due respect to my good friend the Minister of Citizenship and Culture here, "we're going to bring in an ODA." None of that has happened.

You've cut hospitals, you've cut education funding, you've cut health care, no ODA, and now you want us to believe you when you tell us that there is no public funding for universities. Your track record is atrocious when it comes to that area, when it comes to trust. The reality is that even at outstanding American schools like Harvard, 17% of their funding comes from public funding.

Mr Dunlop: Tax and spend. Tax and spend. Tax and spend.

Mr Agostino: My friend says, "Tax and spend," but I can tell you, my friend, I'll be happy to spend money on university students and universities across this province to ensure that our students have an opportunity, to ensure it's not only rich kids—

Mr Dunlop: Tax and spend.

The Deputy Speaker: Come to order.

Mr Agostino: —but also kids of average and low income and poor families across this province. That's the difference. You think it's a school of privilege for rich kids; we believe it should be accessible to all. You should be ashamed of yourself for advocating that position.

Interjections.

The Deputy Speaker: Order. The Speaker doesn't rule on the background or the words or the phrases, or the truthfulness even, of anything anybody says. But what I do rule on is that member's right to be able to stand up here uninterrupted, unimpeded, to say it. I must say that some of you are trying my patience. It's getting late at night and it's the end of a long day, and my patience is getting thin, so don't tempt me. I don't want to enforce those rules that you have asked me to do. I don't want to do it, but if you insist, I will.

The member for Sault Ste Marie has two minutes to respond.

Hon Mrs Johns: On a point of order, Mr Speaker: The member opposite suggested to me that I had not implemented the ODA. I just wanted to clarify that Bill 83 was introduced in the last session. We have tried—

The Deputy Speaker: It isn't question period, so you cannot ask me questions nor can you ask anybody on the other side of the House questions. If I had to answer it, it would be very close, short and concise, and it would be no.

The Chair recognizes the member for Sault Ste Marie, two minutes to respond.

Mr Martin: This bill isn't about access and improving equality. This is another example of this government's fixation on everything American, public dollars for private gain and reduction of access. The legislation explicitly states that public dollars will not go to private, for-profit universities, but this is in fact a lie. Where private institutions rely on public dollars to operate—

The Deputy Speaker: I'll ask the member to withdraw that remark.

Mr Martin: I wasn't calling them liars; I was saying the bill—

The Deputy Speaker: No, let me be very clear.

Mr Martin: I withdraw. For-profit public institutions rely on public dollars to operate—

Hon Mrs Cunningham: On a point of privilege, Mr Speaker—

Mr Martin: She's wasting my time, Mr Speaker.

The Deputy Speaker: I don't have to be reminded about what is going on in here. It's my job to know. I know that the clock of life goes on, but let me assure everyone in the House that I will be fair.

I will recognize the minister from London on a point of privilege.

Hon Mrs Cunningham: If the member wants the private colleges and universities to get private funding, he should say so.

The Deputy Speaker: If I were answering that question, I think it would be no, as well.

Mr Curling: On a point of order, Mr Speaker: The member had two minutes, and the clock wasn't stopped. I think out of courtesy he should be given the two minutes to respond.

Mr Agostino: Unanimous consent.

Mr Curling: Unanimous consent.

The Deputy Speaker: That is not a point of order.

Mr Agostino: On a point of order, Mr Speaker: May I ask for unanimous consent that the member for Sault Ste Marie be given the two minutes to wrap up his response.

The Deputy Speaker: The member for Hamilton East has requested unanimous consent that the member for Sault Ste Marie be given two minutes to respond. Those are the rules of debate in this House. My ruling is that the member for Sault Ste Marie was interrupted when he had about half his time gone. I told you before, I will be fair. I will restore that time. I would like the member for Sault

Ste Marie to feel he has the next minute to finish his comments and his response.

Mr Martin: There was unanimous agreement to give me two minutes, Mr Speaker.

The Deputy Speaker: It certainly was unanimous that you would be given two minutes. My ruling, though, is that one minute of that has already elapsed.

Mr Martin: For-profit public institutions rely on public dollars to operate. In the United States, 30% of operating revenue for private universities comes from direct or indirect government subsidies. In Ontario, they will get public dollars through OSAP, tax credits and tax incentives, while our public institutions are starved for funds.

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Tuition fees will skyrocket if private universities are allowed to operate. At Phoenix university's BC campus, tuition for a four-year degree program is more than \$40,000. In Ontario's public system, a four-year degree costs \$16,000. Student debts will also go through the roof. Ontario's average student debt is already \$25,000.

We were better off under an NDP government than we are today. Tuition was 60% lower, student debt was half today's average. Even during Ontario's worst recession since the Depression, the NDP gave university operations almost twice as much as the Conservatives. Operating support measured per student was \$1,300 higher. That represents a drop of 70% since the Conservatives came to power. This bill is a continuation of this government's fixation on everything American.

The Deputy Speaker: Further debate?

Mr Wayne Wettlaufer (Kitchener Centre): I am really pleased tonight to stand in support of Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act, 2000.

Before I get into the main text of what I want to say, I do want to say to the member for Sault Ste Marie that when he read that—

The Deputy Speaker: Fine, but do it through me.

Mr Wettlaufer: Mr Speaker, I will say, through you to the member for Sault Ste Marie, that when he said we were better off under an NDP government, even the Liberals raised their eyebrows, so that's a different sign.

On Friday night this past week, a group of individuals and I went out for supper. We walked into the restaurant, and one of the individuals had a badge or pin denoting himself as a PC supporter. With that, the manager, Angela Baker, of the Armadillo Steak House—that little, middle-class steak house downtown on Front Street here in Toronto, most of you will know it; it's not an elite place by any stretch of the imagination—said, "Oh, congratulations." I looked at her and I said, "For what?" She said, "For introducing the bill on post-secondary education choice and excellence." I said, "Congratulations? You like it, do you?" She said, "Yes, this is what students need."

I would just like to mention that there are some differences of viewpoints between the Liberals and ourselves, of course, insofar as the quality of education is con-

cerned. I think I would like to point out that last Thursday, October 19, the Leader of the Opposition, Dalton McGuinty, in a question to the Honourable Dianne Cunningham, Minister of Training, Colleges and Universities, said in his view universities should be centres of excellence. This is very important, because I think the foundation of the Liberals' belief is that universities should be centres of excellence, whereas the people on this side of the House already believe that universities are centres of excellence—not should be, but are.

But there is something else here. While we believe the quality of education in Ontario is at least equal to any other part of the world, that's not the issue. The issue is making the necessary fundamental changes to the post-secondary system which will set the conditions to meet the growing needs for the years to come. That could be the near future. It could also be 10, 15 or 20 years from now.

A major component of Mr McGuinty's opposition to Bill 132 is that component in relation to private universities. We've heard the members of the Liberal caucus and the NDP caucus say tonight what they feel about private universities. However, Mr McGuinty and Mr Hampton, the leader of the NDP, have not offered their views insofar as applied degree programs are concerned. Applied degree programs are an element in this bill. I'm sure that when Dalton McGuinty tests the political winds, he'll make up his mind on which way he should go insofar as applied degrees are concerned. He may even express his views on student indebtedness when he finds which way the political winds are blowing.

I do feel that we should be addressing the issue of student indebtedness. I think it is unfortunate that any student anywhere should have to go into debt to pay for a post-secondary education. But there is a world of reality in which we live. It is unrealistic to expect the taxpayers of Ontario to cover the entire cost of a post-secondary education for students when not all students go to university. Also, those students who go to university are substantially rewarded in an economic sense for their efforts. It is realistic that, given the economic advantages that a student gains from a post-secondary level of education, the student would pay some of his or her education.

Mr McGuinty does not appear to be against the concept of students being provided student loans. That's going into debt. We assume that the difference between the government position and Mr McGuinty's and the Liberal's position is the degree of student indebtedness. Mr McGuinty and other members of the Liberal caucus have emphatically stated that our students are averaging debt levels of \$25,000. That's what they're saying. Maybe in McGuinty land students have an average debt of \$25,000, but in the province of Ontario the student debt level is \$13,000. The average student debt level is not \$25,000 as the Liberals state; it is \$13,000. Do you know where that figure came from? It came from one of their own sources, the Canadian Federation of Students. Now they're shaking their heads.

Mr Agostino: Why don't you tell the whole story?

Mr Wettlaufer: I guess you didn't read. If \$25,000 is too high, as I'm sure Mr McGuinty, the leader of the Liberal party, thinks it is, then I would like to ask him: what debt level is satisfactory? Would 50% to 53% of that \$25,000 be acceptable? If it is acceptable to the Liberals and to McGuinty, then guess what, guys? We're there—according to the Canadian Federation of Students, of course, and we do assume that they're telling the truth. The Liberals wouldn't question that.

Instead of Mr McGuinty standing up during question period to lambaste this government for supposedly high student debt loads, he should be on his feet applauding us.

Mr Agostino: Who should be?

Mr Wettlaufer: Your leader, Dalton McGuinty. Wouldn't it be refreshing just once to have the Leader of the Opposition stand up and praise us for our efforts?

Mr Agostino: If you ever did something right, we would.

Mr Wettlaufer: I doubt very much that he will. I'd like to see him come clean. Oh well, it won't happen. Wouldn't it be refreshing for him to say that he was wrong? Wouldn't it be refreshing for him to say that the average debt load of students is not \$25,000 as he had said, that it's only \$13,000? Wouldn't it be refreshing? Wouldn't it be refreshing for him to say that he apologizes for not having done his homework on the issue?

According to the 1996 census, the average income for a graduate with a university degree was nearly \$45,000—\$44,990—compared to an average annual income of a high school graduate earner of \$24,103. The university graduate's income therefore is \$20,887 a year more than a high school graduate's. So are we not looking at the cost of education to that student as an investment—an investment that would return to him significant dollars?

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I'm not sure if the Leader of the Opposition considers this unfair or unreasonable. He hasn't said. He hasn't said whether any student willing to work hard enough to obtain a university degree should be well compensated for their efforts. Maybe he is letting his emotions get in the way of facts. The facts are that our university system is excellent, that our universities are world-class and can successfully compete with any post-secondary system in the world, and in fact they do.

The Liberals have very conveniently ignored this topic tonight, and so did the NDP. Any student in the province of Ontario can today choose from over 10,000 university courses offered over the Internet. And guess what? They're not all from Ontario universities. They're from private universities from all over the world. Pick any subject, and our students can find a college or university somewhere on the Internet in which they can enrol—the United States, France, England, Germany, Scotland, anywhere at all.

So there is a proliferation of these courses. Do we accept that? What protection is there for the student? They're opposed to having private universities in

Ontario. Bill 132 provides the protection for those students in the province of Ontario who want to obtain their education through a private university. Presently, if they get that education on the Internet, they do not have the protection. Do you not care about those students?

I've got ahead of myself. I don't even know what my notes are any more.

There is no intent on the part of this government to interfere with the autonomy of the universities. There is no intent by this government to flow monies to private universities at the expense of the publicly funded universities. There is no intent on the part of this government through this act to penalize any student.

I want to say that when I ran in 1995, I did so out of a profound belief that the young people in our province were not being served and I felt they had to have a future, a future with choice. That's why I ran. I still believe that today. I talk to a lot of young people, I talk to them daily, and I'm convinced more than ever. In talking to these students, I'm finding out exactly what they want out of life. They do want the choice. I know there were a few rabble-rousers, misguided people, here tonight in the gallery, but they represent a very tiny minority of students. They are very concerned, and they have a right to be concerned, but they listen to the Liberals and the NDP themselves rabble-rousing. They listen to the Liberals and the NDP, and instead of giving those students assurance, they fearmonger. How dare you fearmonger? This is not a political game we're playing. These are children's lives.

Interjection.

Mr Wettlaufer: I know that the Liberal member for Elgin-Middlesex-London doesn't believe what he says. He realizes that this is a theatre, and he wants to go on and on. Unfortunately, we're competing against The West Wing and the World Series. I say to the member for Elgin-Middlesex-London that—

The Deputy Speaker: Order. The Leafs are also playing. But I just wanted to say that if you will address your comments through me, we'll ask the rest of you to be patient for a little while, and we'll get this debate cleared up tonight.

Mr Wettlaufer: I would like to reassert what the Minister of Training, Colleges and Universities earlier said, that under the Liberal watch—and the leader of the Liberal opposition party was a member of that government—23.3% of young people between the ages of 18 and 24 attended post-secondary institutions. Under the NDP watch that increased to 25.5%. Under our leadership that has increased to 35.5%. Fully 35.5% of young people between the ages of 18 and 24 are now attending university or college. That should be celebrated.

The upsurge in this number is a great indicator of how successful our post-secondary system is, how they are treating our students. But it also says something about the prestige they have within the communities in our province and in our country. More students are enrolling in post-secondary programs than at any previous time in our history.

The higher the educational level, the higher the quality of life. Our goal in this government is to ensure that Ontario is the best place on earth in which to live, to raise a family and to prosper—prosper. That can only be done as the result of a post-secondary education, and students want choice. They've told me they want choice. I'm sure they've told you too, but you're not listening.

We are very aware that the primary purpose of an educational system is to challenge the intellectual ability of students. We realize that. But we also believe that one of the goals of any education system—the students certainly believe this—is to provide them with the necessary tools to prosper in our economy. If we are going to continue to open more doors of educational opportunities to meet the demands of the new millennium, then we must increase the diversity of the types of courses offered and increase the diversity of institutions through which those courses can be offered.

It's a difficult task, but this government is up to it. It is easy for the opposition parties to categorically reject new ideas, new concepts put forward by the government. It is easy for them to try to maintain the status quo, because politically, maintaining the status quo is the easiest route. But we have not necessarily accepted the status quo. We are not afraid to take on challenges, which is probably the reason we were re-elected a year ago. Our leader, the Premier, Mike Harris, has definitely shown leadership, contrary to the Leader of the Opposition, who isn't up to the job.

We are committed to ensuring the quality of existing degree programs, but we are going to ensure that future degree programs offered by either colleges or universities will meet or exceed standards of excellence. These standards of excellence will be determined by a quality assurance board, an independent, arm's-length body. Is there something wrong with that? I don't think so, because the world of academia, the presidents of the community colleges, doesn't think there's anything wrong with that. Any students I've asked think it's wonderful that an independent body would set standards of excellence. Those standards of excellence, the quality assurance board, are determined right here.

Interjections.

Mr Wettlaufer: Oh, you haven't read it. They haven't read this. That's the problem. They didn't know it was in there. Well, I guess that's not a surprise.

We think that in the province of Ontario we should have a list of private universities that would include competitors on the world-scale level of Yale, Duke, Harvard and MIT. I think it's wonderful that private universities are going to be allowed, as will applied degree programs.

2110 **The Deputy Speaker:** Comments and questions?

Mr Peters: There's an interesting musical artist by the name of Lou Reed. A line in one of his songs talks about the smarts that you learn out on the streets that a college education can't buy. That's what this government is doing: they're forcing students not to be able to have a college education. They're forcing students out on to the

streets. What they are creating with this legislation and what they continue to do with the Americanization of the education system in this province is an elitist system, a system where we've seen over the past four years tuition increases in the neighbourhood of 60%, which are added to a 35% increase in the cost of a post-secondary education in Ontario; a decrease in provincial funding, with no signs, no indications that we're going to see increases. But the worst part is the debt, the unprecedented debt they're leaving on students in this province.

This government likes to talk about consulting and listening to people. Why don't you listen to the Canadian Federation of Students and the issues they continue to raise? Why don't you listen to the Ontario Confederation of University Faculty Associations, which represents 11,000 faculty members at universities across this province? Listen to them and what they're saying about what you're doing to education, and more particularly to the post-secondary education system in this province.

The member asked, why not invest in existing students? I ask the question: why don't you invest in existing students? You're not investing in existing students. What you're doing is adding a burden to those existing students.

Look back to 1991. The now Minister of Education, the Honourable Dianne Cunningham, then said, "The university community, including students, is losing confidence in a government that promised to be better." Those very words ring very true today.

Mr Martin: If the students who were here earlier tonight had a voice, they would tell you that the minister has refused to hold a consultation process before bringing in these private universities. She has set up an assessment process that allows for no stakeholder or public input and permits no public scrutiny of her decisions. There is no way to appeal a decision made by the minister, no matter how outrageous or harmful to public education. Before this bill, the right to operate a university was created by an act of the Legislature. Now only the minister has to consent.

They would also say that the Conservatives have cut \$500 million from post-secondary education. OCUFA calculates, however, that \$1.4 billion is the cumulative operational funding that has been taken out of the university sector alone. Compared with other Canadian provinces, Ontario remains in last place when measuring post-secondary operating grants per capita.

Students were indeed better off under an NDP government. Tuition was 60% lower on average. Student debt was half today's average. Even during Ontario's worst recession since the Depression, the NDP gave university operations almost twice as much as the Conservatives. Operating support measured per student was \$1,300 higher. That represents a drop of 17% since the Conservatives came to power.

This legislation is to allow private, for-profit universities to divert public dollars for private gain. Universities will only be for the rich if this bill is passed.

The quality of post-secondary education will be compromised by Wal-Mart universities opening up shop in Ontario. Our entire public system could be in jeopardy if there is a challenge under NAFTA.

This bill slams the door on government accountability for post-secondary education and is really a decoy for cuts and chronic underfunding.

Mrs Molinari: I want to comment on some of the points made by the member for Elgin-Middlesex-London, where he says that we're forcing students out on the street and leaving debt on students—

The Deputy Speaker: I'm sorry. Your comments and questions are addressed to and about the member for Kitchener Centre.

Mrs Molinari: I'm getting there, Mr Speaker. Thank you.

I want to put for the record that we as a government have increased OSAP to an estimated \$556 million this year, an increase of \$326.5 million over 1995-96 levels.

We're increasing the number of Ontario graduate scholarship awards by more than 50% and increasing the value of scholarships to \$15,000.

We've introduced the Ontario student opportunity trust fund, in which the government matches private sector contributions raised by colleges and universities to a current \$600 million—\$300 million from the province and \$300 million from the private sector.

We're committing \$35 million to our Aiming for the Top tuition scholarships, which will reward students with top marks and will help top students who have financial need. At maturity, more than 10,000 students will benefit with over 4,000 in receipt of scholarships this fall.

We've introduced the Ontario student opportunity grant program, which will give students who borrow more than \$7,000 a grant for the portion of their loan above this amount. It's a grant.

We're doing more to help students than any another government has ever done. It needs to be put on the record because the opposition obviously doesn't have the facts and they just don't get it, as they don't get any of the facts that are presented here because they make up all kinds of facts that have come out. We keep hearing all the things that you put out which are totally non-true.

M^{me} Boyer : Vraiment, dans tout ce que j'ai entendu et ce que j'entends ce soir sur les universités privées on parle d'excellence; on parle de donner tout ce qu'on peut aux étudiants. Je me demande vraiment où on s'en va avec tout ça quand on pourrait le donner avec nos collèges et universités qui sont présentement en oeuvre.

This government is claiming that private universities will be fully funded by private money with no taxpayer dollars, will enhance quality through competition. In reality, private universities draw on public funds via students loans, grants, tax incentives to students, to donors, research grants.

The Minister of Training, Colleges and Universities has stated that students at private universities in Ontario would be eligible for student loans. That is publicly funded money.

Competition already exists in the Ontario public system. As budgets have been slashed, public universities have been forced to compete for private donors, research or industry grants.

In reality, tuition at private institutions could be at least double that of the public system. So if students cannot afford current tuition fees, then I'm sure there will be little incentive to attend private institutions.

The Deputy Speaker: The member for Kitchener Centre has two minutes to respond.

Mr Wettlaufer: I would like to thank the members from Elgin-Middlesex-London, Sault Ste Marie, Thornhill and Ottawa-Vanier for adding to this discussion.

In response to the member from Sault Ste Marie, I want to say, however, that he restated that students were better off under an NDP government. I guess he thinks that when classes of an entire university went without jobs upon graduation, they were better off. My daughter was one of those students who graduated with very good degrees in about 1993, under your government, and guess what? Half of her class, top students at the University of Western Ontario, didn't have jobs thanks to your government.

Interjection: Are they working now?

Mr Wettlaufer: I would just like to say here that Paul Davenport, chair of the Council of Ontario Universities and president of the University of Western Ontario, said that the introduction of some small, niche-based private universities—and I think that's what they'll be; they'll be very specific—will not be seen as a substitute by most parents and students for institutions like Western, Queens or Toronto. I personally can live with that.

Howard Rundle, president of ACAATO, said, "This significant and visionary action by government recognizes the quality of Ontario college programming, the needs of Ontario students and the job market. Applied degrees will give students greater choice in the knowledge economy."

John Ibbitson, *Globe and Mail*, said in March of this year, "Liberals Just Don't Get It When It Comes to Schools."

"It means more jobs here. It means more prosperity here. It means more opportunity here.'..."

"The Liberal stance is dumb on so many levels that it's hard to know where to start, except perhaps by observing that the poverty of policy imagination within the official opposition has reached alarming depths."

Private universities "will fill a niche, answer a demand, and provide a service."

And guess what? Yes, those students who didn't have a job in 1993 do have good jobs now under our government.

The Deputy Speaker: There have been several references tonight to the galleries. I wasn't here, so I won't comment on it, but I would like to comment on the visitor we have in the gallery. Your department and interest in our proceedings is profound to us, and I would like to compliment you for being here and for your interest. I hope your evening has been as informative to you as we have enjoyed hosting you.

It being almost 9:30, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 2123.

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No. 96

N° 96

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 26 October 2000

Jeudi 26 octobre 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 26 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 26 octobre 2000

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

HIGH-TECH CAPITAL OF ONTARIO ACT, 2000

LOI DE 2000 SUR LA CAPITALE ONTARIENNE DE LA HAUTE TECHNOLOGIE

Mr Coburn moved second reading of the following bill:

Bill 126, An Act to proclaim the City of Ottawa as the high-tech capital of Ontario / Projet de loi 126, Loi proclamant la ville d'Ottawa capitale ontarienne de la haute technologie.

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes for his presentation.

Mr Brian Coburn (Ottawa-Orléans): I'd like to share my time with the members for Ottawa West-Nepean, Kitchener Centre and Bramalea-Gore-Malton-Springdale. They're kind of anxious to speak to this bill.

On January 1, 2001, by virtue of the City of Ottawa Act, 1999, the Ottawa-Carleton region will become the new city of Ottawa. On that same day it would be appropriate to officially recognize and designate the new city as the high-tech capital of Ontario. Over the past few years a huge transformation has taken place in the Ottawa region. The federal government's role as the major employer will be replaced by an exploding advanced technology sector. Indeed this is an event in itself that is worth celebrating.

The transformation of Ottawa's dependency on government employment to private sector employment has resulted in an exciting, bustling, multicultural city known worldwide for its quality of life. This did not happen by accident. Rather it's the result of implementing and acting on a vision and a plan created by leaders and residents of our community—a plan that capitalizes on our strengths of a well-educated, young, dynamic workforce; a plan that capitalizes on forward-thinking educational institutions such as Carleton University, the University of Ottawa, la Cité collégiale and Algonquin College; a plan that capitalizes on the leading-edge technology generated not only by world-class private sector high-tech companies, but also by partnering with a knowledgeable and innovative organization whose primary business is re-

search and development, namely, the National Research Council.

This is an organization that partners with innovative companies, universities and research organizations worldwide, where they build on the research strengths and technologies that advance our economic growth in manufacturing, information and communications technologies, as well as biotechnology.

This growth in the advanced technology industry in the Ottawa area has been a steady, long climb to the point where the new city of Ottawa in the province of Ontario is recognized worldwide as Silicon Valley North. A steady growth began in 1948 with the emergence of Computing Devices Canada, which is still a major force on the world advanced technology scene; a steady growth on into the 1970s and 1980s, where a broad range of multimillion-dollar firms burst on to the Ottawa scene, firms such as Digital, Nortel Networks, Newbridge Networks Corp which is now Alcatel, Corel Corp, Mosaid Technologies and JDS Uniphase.

This explosive growth provided the nucleus and the very foundation and the very ingredients of future success. Quality of life, research facilities, educational institutions, the presence and support of the federal government and the province of Ontario and a well-educated workforce became the magnets that justified Ottawa as home to industry giants such as JDS Uniphase, Mitel Corp, Cognos Inc, GSI Lemomics, EDS/SHL Systemhouse, JetForm Corp, SimWare Inc, Alcatel, Nokia. In fact, Ottawa is home to over 1,000 advanced technology companies, the largest such concentration in Canada.

Employment in the advanced technology sector has grown by a whopping 809% since 1976 and currently totals over 74,500 employees. We expect that number of high-tech jobs to surpass the federal government jobs by the end of this year.

Since the time of drafting Bill 126, the numbers on employment have already changed. As of June 2000, there were 70,000 high-tech jobs in Ottawa. As of the end of September, that number has climbed to 74,500, an increase of 6% in just three months. I challenge anyone to demonstrate a faster-growing high-tech centre in the province.

A statistic that is vitally important to the new city of Ottawa, the province of Ontario and indeed Canada is the fact that the high-tech sector generates sales in excess of \$17 billion annually and over 90% of this amount is exported out of Canada. The export of such a significant amount opens up countless additional opportunities for

other communities in Ontario in the advanced technology sector, such as Markham, Kitchener-Waterloo, London and Toronto.

Another important aspect of the high-tech sector—in fact it is an essential ingredient to the success of developing a leading edge technology—is the research and development capabilities in the new city of Ottawa. Over \$3 billion annually is spent by publicly traded companies on research and development. This figure excludes the research and development expenditure of privately held firms, which would add significantly to this amount. In addition, the federal government spends almost \$700 million annually on research and development in Ottawa.

For comparison purposes only, the total per capita research and development expenditures are three and a half times higher in Ottawa than Toronto, as per Statistics Canada data. Further, in the computer and electronics industries specifically, per capita research and development expenditures in Ottawa are 13 times those in Toronto. In fact, the Ottawa area captures 38.9% of the research and development expenditures in Canada.

There are a number of elements that make the new city of Ottawa an attractive place to invest, work and raise a family: a well-educated workforce with a combination of university degrees and college diplomas well above the national average, and over 9,000 residents with PhDs.

A rich advanced learning environment includes the University of Ottawa's school of medicine and school of information technology and engineering, Carleton University's leading microelectronics program, Algonquin College and la Cité collégiale, two community colleges that have developed innovative partnerships with the high-tech community, and of course the National Research Council headed by Dr Carty and the Communications Research Centre headed by Gerry Turcotte.

There are a multitude of networking forums such as OCRI—Ottawa Carleton Research Institute—headed up by Bill Collins, Zone5ive Technology Marketing, New Media North, Ottawa Capital Network, which matches emerging companies to a network of potential investors.

Ottawa CAP Consortium is a network of public Internet access sites located in schools, libraries, community locations and municipal offices throughout the city.

1010

The quality of life is enhanced by our countless parks and nature preserves that offer over 300 kilometres of bike paths, over 200 kilometres of cross-country ski trails and 150 kilometres of scenic recreational paths that run parallel to the Ottawa and Rideau rivers and the canal, which becomes the world's longest skating rink in the winter months.

The Greenbelt is the emerald necklace, some 49,000 acres of protected farmland, wetlands and forest which surround the inner city. World-class cultural facilities and festivals are in abundance. The National Arts Centre, the National Gallery of Canada, the Canadian Museum of Nature, the Canada Aviation Museum and the Canadian War Museum complement our local cultural theatres

such as Opera Lyra, the Ottawa Little Theatre, the Great Canadian Theatre Company and la Nouvelle Scène, to name a few, and the world-class Corel Centre, home of the Ottawa Senators, and of course the Cumberland Heritage Village Museum.

Entertainment and dining choices are generous: over 1,600 restaurants to satisfy your particular taste on any given day.

The Ottawa International Airport, which is experiencing tremendous growth, is announcing today a \$300-million expansion, to be completed by the year 2004. They are a significant economic player contributing to the economic growth and development of Ottawa. It is complemented by the Carp airport, which has evolved into a conveniently located commuter airport for the high-tech industries.

In fact, the aviation sector has grown by 40% since 1995. Our government has enhanced access to the booming Ottawa economy by completing Highway 416. This is just a snapshot of the ingredients that provide a quality of life for residents, businesses and in particular the high-tech sector that is the envy of many communities in and outside of Canada.

The characteristics I have mentioned are indeed many of the reasons for tremendous growth in the high-tech sector. The advanced technology community in the new city of Ottawa has many facets which make it such a dynamic centre of excellence that is recognized around the world. Excellence in research and development, manufacturing and information technology has resulted in leading-edge technology that is marketed to the world; excellence in software and hardware development, the telecommunications industry, semiconductor industry, the new media industry, the life sciences industry, environmental technology, Internet technology and the defence and aerospace industries.

Allow me to reinforce my belief that the new city of Ottawa deserves provincial recognition as the high-tech capital of Ontario with some quotes and observations by investors and employers in our city.

"Choosing Ottawa as the place to develop Silicon Access Networks' chipset for terabit router line cards was no accident," said John Vincent, senior director of the application-specific integration circuit development. "When we were looking to extend our product line into networking, Ottawa was one of the places we looked to first. With so many established ... companies here, Ottawa provides a rich skill pool of top-notch people with proven expertise and system knowledge that many chip manufacturers don't have. Ottawa has one of the highest densities of the skill sets we need."

Mr Richard Patten (Ottawa Centre): I'm pleased to speak on Bill 126, which has something to say about the city in which I reside and which I represent a good portion of.

I'd like the member from Ottawa-Orléans to know that I truly support the spirit of his intent in this bill. I've received a number of letters from other parts of Ontario,

especially in the Toronto area, contesting the moniker that is being recommended by you.

But I think we can all agree, and the member from Ottawa-Orléans has put out a number of statistics, there has been an absolutely explosive growth that has taken place in the Ottawa area, primarily driven by what's euphemistically called the high-tech sector. We have probably seen this sector surpass the volume of employment, and it is the single largest employer in the Ottawa area now, I believe. It definitely has the single largest employment-growth percentage in all of Canada. That's quite impressive. The employment numbers for the sector are expected to grow another 10% to 15% in the next couple of years, as well. Ottawa has the fastest-growing economy in Canada, it has been pointed out, and, as many of you know, Ottawa is the fourth-largest regional economy in all of Canada.

So it has been exciting times. I believe, though, that we all have to be supportive of this particular industry throughout all of Ontario. In Markham, Toronto, Kitchener-Waterloo, London, there are aspects and there are centres, although they may be somewhat smaller or larger, depending on how you assess this. We should be cognisant of the fact that there are lots of exciting things happening throughout Ontario.

I received a letter from Mitzie Hunter, the president of SMART Toronto, and she says, "Rather than appointing"—or I was going to say "anointing"—"one city as the high-tech capital of Ontario, the province should look at itself as a 'SMART' province, celebrating the achievements of individual cities and encouraging these high-tech centres to work together toward the growth and development of the province as a whole as we compete in the global marketplace." I like the spirit of that, and I'm sure the member who proposes this bill would certainly agree with that as well.

I have an amendment, and I consider it a friendly amendment, and what I would recommend to the member is that if this bill moves forward and passes today and goes to committee, the committee would entertain the idea that this would go forward as a recommendation to the new city to entertain, whether they would choose this moniker or another.

As the member knows, when it came to the province dealing with bilingualism, it's suggested that the city itself should make that decision; it was a local decision. In describing oneself as a city, I believe that should be a local decision, as well. So I would be prepared to support this with that amendment, that this goes forward to the new city as a particular consideration, as they would consider other things.

The member would know that there is underway a \$200,000 study in marketing and branding that the city is going through—it's the region at the moment—with the high-tech business and with some money from the federal government. I think it would be premature for us to pre-empt at this particular time and impose a particular title, from on high in Toronto here at Queen's Park, to Ottawa. It would be more appropriate if it came in the form of a recommendation for, truly, consideration.

I'm going to stop here because I have two other colleagues who would like to speak to this. With the amendment that I suggested, if the proposer will speak to that in his wrap-up comments and entertain such a friendly amendment, I'd be very happy to support this bill.

Mr Gilles Bisson (Timmins-James Bay): I—

Mr James J. Bradley (St Catharines): Are you not out campaigning for Len Wood?

Mr Bisson: I'll be out campaigning for Len Wood tomorrow. Today I'm over here doing my Legislative duty. But thank you for reminding me of that, Mr Bradley.

I'm in a bit of a quandary over this particular bill, because I understand what the member is trying to do. He's trying to advocate for his region of the province, which is Ottawa, which we all know, which is an important sector when it comes to the electronics industry in Canada. We've known for many years that Ottawa and the region have done a lot of work to attract the excellence in technology that has made part of what the Ottawa economy is today, and we recognize that. It is one of those places in Ontario that does quite well when it comes to the electronics industry. But on the other hand, I'm in a bit of a quandary because you look at communities such as Kitchener, Markham and others who have also been doing the same types of things for a while, so which one do you pick? Which one do you say should be the centre of excellence or the high-tech capital of Ontario?

I know, for example, because I've dealt with Mr Cousens, who is now the mayor of Markham but was a member of the assembly here from 1990-95, when I was first elected—

Interjection.

Mr Bisson: In fact, I got his package, as Jim is saying over there, which talks about what has happened for them in Markham. I just have to say, when you take a look at it, that what was the most telling—if I can find it; of course I can't find what I want now that I'm on my feet. There's a picture of the signs going into the town of Markham that basically say—here it is. It says, "York region, town of Markham, population 190,000, Canada's high-tech capital." It's already marketing itself and already seeing itself as a high-tech capital of North America.

He is concerned that if we were to take a legislative step to recognize the city of Ottawa, in doing with the region of Ottawa what the member suggests, it would be in some sort of competition.

1020

I guess I want to hear a little bit more of what members have to say before I decide which way to fall on this. I tend not to vote for it, to be quite honest, because I think once we get into—

Interjection.

Mr Bisson: We have to hear from Tsubouchi before we do anything. Exactly.

When you start getting into trying to name one community over another as the high-tech capital or whatever capital of Ontario or of Canada, you're playing one com-

munity against the other. I would much rather see the municipalities themselves or the regional government decide how they want to brand themselves.

For example, where I come from, the city of Timmins, we call ourselves the city with the heart of gold, in reference to the gold mining industry that has been there for a long time, but we also recognize that there are other communities across northern Ontario that have a very strong gold industry. For Timmins to say, "We are the capital of the gold industry of North America," or of Ontario, we probably can get away with that to a certain extent, but what would it say when it comes to those other communities out there that are trying to market themselves and attract investment and people into their communities on one type of slogan or other?

I have a bit of a difficulty with what the members suggest, and I look forward to the comments that are made by members of the Legislature. In any event, if it does pass, I guess we will get to debate this a little bit more at the committee level. But my guess is that even if we did adopt this bill, it probably wouldn't get very much further than where it's at right now. I don't think the government wants to put itself in a position of adopting this bill as a piece of government legislation or allowing it to move forward as private member's legislation, because I don't think the Minister of Economic Development and Trade or the Premier or others want to get into this particular argument.

We need to view this for what it is. It's a private member, in this case the member from Ottawa-Orléans, who brings forward a private member's bill, as he has the right, on an issue that's near and dear to him. I respect that and understand that as a person who's been involved with municipal politics for a long time, he understands this issue quite well. What he is trying to do by way of this bill is to give his community a bit of an edge when it comes to marketing itself.

I respect what the member is doing. I'm not opposed to his attempt to do this, but I wonder how it's going to stack up in the face of other communities out there. I look forward to the debate of other members and want to listen to debate. We will see which way it goes.

Mr Garry J. Guzzo (Ottawa West-Nepean): Let me express, if I might, my thanks to the member for Ottawa-Orléans for bringing forward this piece of legislation. I want to commend my colleague for his commitment, for his foresight. I know now that he's correct in doing this, because if there was any question or any hesitation in supporting it in the last eight or nine days, it has been eliminated with the outcry of people who have come to criticize the action that he has taken.

They don't argue on the merits. They don't criticize the position that has been advanced for the city of Ottawa. They come with an argument of "Me too." Five other cities have forwarded me copies of documentation in support of their positions.

Interjection.

Mr Guzzo: St Catharines is not one of them. I suppose like everything else from your area, sir, it will arrive a couple of days late, but I'm expecting it.

These other five cities, these other five jurisdictions, showed no leadership. They had no vision and they had no commitment until the member from Ottawa-Carleton.

Mr Gerry Phillips (Scarborough-Agincourt): Mr Cousens won't like this.

Mr Guzzo: Yes, let the record show that Mr Cousens will not like this. Let me warn you in advance. Let me also tell you that my colleague the member from Kitchener Centre will not like it—if he understands it.

In all seriousness, I have to tell you, a couple of the people, a couple of the areas who have criticized and have come forward with the "Me too" argument have factors to recommend. They talk about improvements in the Ottawa-Carleton area in things like transportation facilities and airport facilities that were subsidized by all the taxpayers in the province of Ontario, including those in Ottawa-Carleton. I point only to the existence of Highway 401. After 30 years of desperate attempts on the part of the citizenry of Ottawa-Carleton, in 1998 we opened a four-lane highway to intersect with the 401 at Prescott, connecting Ottawa on a four-lane strip.

Interjection.

Mr Guzzo: It's a sad commentary on the education system in Kitchener when the member from Kitchener can't find the national capital. Any ability to read a road map would be testing the IQ of the member.

During the same 30-year period as we struggled to master and construct that four-lane highway, we watched the 401 across the city of Toronto go from eight, to 16, to 32 lanes, all being subsidized by all the taxpayers of the province of Ontario. It's interesting, not one of the naysayers deals with the issue. No one stands up and suggests where the member for Ottawa-Orléans is wrong in advancing this proposition.

The biggest joke of all has to come from the city of Toronto, a city that wants to be a state, with a mayor who wants to be a premier or a governor. I find it most interesting that His Melness writes to me—and I have a copy of the position that he put forward this morning. Here's a man who can't clean up his own waterfront—two other levels of government this week coming to the table. He can't pay for his own Olympics. He's looking for support, but he wants to be a separate state. He can't pay for his own garbage, he can't handle his own garbage and he's going to be an independent state. Then over a neighbouring state, he'll run the trucks down the 401 at no cost.

Mr Mike Colle (Eglinton-Lawrence): On a point of order, Mr Speaker: Is this not about the high-tech capital designation, not about bashing the city of Toronto? Why must he be bashing the city? Let's talk about—

The Acting Speaker: It's not a point of order. Sit down. The member for Ottawa West-Nepean.

Mr Guzzo: I wondered how long it would take for the campaign manager for His Melness to get into this debate in support of the situation.

The argument that has been put forward this morning by my colleague the member for Ottawa-Orléans has to be studied in its entirety. One has to look at what has

developed and supported the growth of the high-tech communities across the province. What is it in Kitchener-Waterloo, what is it in Toronto, what is it in Markham and what is it in Ottawa-Carleton? What is going to continue to grow? What areas are going to continue to provide the incentives and the jobs? What areas have the infrastructure and the background?

Everyone has equal opportunity in terms of the job creation and in terms of the capital infrastructure, but Ottawa possesses something that has gone much further. The Ottawa growth has been as a result of the people involved, the people who have come here, the people who have chosen to stay in the Ottawa-Carleton area and who have laid the groundwork and the framework.

I commend my colleague for having the foresight and commitment to bring it forward and, again, I underline the fact that the people who fail to deal with the issue, but only argue on the me-too basis, support indirectly that argument and that position.

I thank you for the opportunity to speak to it today.

1030

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I'm delighted to be able to speak on this very important bill, Bill 126, An Act to proclaim the City of Ottawa as the high-tech capital of Ontario.

The eastern Ontario people, starting from Kingston down to the Quebec border, are under the impression that the city of Ottawa is already the high-tech capital. This morning I was over at the Integrity Commissioner's. I was telling him I was coming over here to speak on this bill and he said to me, "Is the city of Ottawa not already known as the high-tech capital, not only of Ontario but of Canada?" I said, "To be official, we have to come up with a bill," and this is what my friend from Ottawa-Orléans riding has come up with.

When we are questioning why we should have the city of Ottawa known as the high-tech capital of Ontario, it should really be known as the high-tech capital of Canada.

When I look at the population, there's another place around Toronto that is saying it should be known as high-tech. When we look at the number of jobs high-tech has created in Ottawa, 10% of the jobs in Ottawa are in the high-tech industry; when I look at Toronto, 3.7% of the people are working in the high-tech industry.

I was reading the Ottawa Citizen yesterday. There was a very important article in it: "Ottawa 'Not a Difficult Sell': Mission to area has Silicon Valley reps impressed." These people came from San Francisco Bay.

"Business leaders visiting Ottawa from the San Francisco Bay area have deemed their mission a success.

"Officials with a few of Silicon Valley's elite high-tech companies were wandering the streets of Ottawa yesterday, and will continue their tour today, in order to get a feel for what the area has to offer their businesses....

"The Bay group is a not-for-profit organization with the mandate of promoting growth within the California

region's technological community and expanding that growth, through various relationships, around the world."

When we're talking about having the city of Ottawa known as the high-tech capital of Ontario, there shouldn't be any question because we have everything to prove it. The city of Ottawa—at the present time the Ottawa-Carleton area—is part of my riding and I'd be happy to see every one of us support this bill today because it means that this will also be good for the Ontario economy. People from outside North America are coming to visit Ottawa.

Also, we are discussing more and more that the city of Ottawa should be declared officially bilingual. We have to remember that 54 countries in the world work in the French language. They speak French when it comes down to discussing business.

I support this bill with the right of the municipality to adopt whatever title it deems appropriate to ensure that it is identified as the leader in the high-tech industry.

I could go on and on to prove that the city of Ottawa should be known. When I look at the population of Markham, for example—they say they want to be known as the high-tech capital of Ontario—the population is 190,000 and they say they employ 155,000 people in the high-tech sector. The high-tech sector that employs 155,000 people covers the whole greater Toronto area. This is why it comes down to 3.69% of the population. In Ottawa, with a population of 750,000, 10% of those people, or 74,500 people, are working in the high-tech industry.

For this high-tech industry in the Ottawa area, as we know, we have the two colleges, Algonquin and la Cité collégiale, and also the two universities that are developing and training our people to become high-tech operators, to work in the high-tech industry. We have a shortage in Ontario; we have a shortage in Canada. I'm looking at some real innovators in my district. They developed the Amphibus. We know the Amphibus is the only one in the world, and that is in the capital city of Ottawa.

Just to show that we do have everything in Ottawa at the present time, why not officially declare it the high-tech capital of Ontario?

Interjections.

Mr Tony Martin (Sault Ste Marie): Yes, we're the high-tech capital of the world. We make high-tech steel up there.

The most interesting part about this bill is the competition it has generated, the activity it has generated, the interest it has generated across Ontario in this whole issue of who's the high-tech capital and leader in Ontario. I have to tell you it disturbs me somewhat in that I thought that as a jurisdiction, Ontario as a whole should be working together to develop a high-tech industry that would service everybody.

Right now, even though the economy is doing well in places like Ottawa, and probably Kitchener-Waterloo and Toronto, some of the places where the high-tech industry has taken hold, there's a whole whack of Ontario—north-

ern Ontario and rural Ontario—that's still struggling, trying to find their place, trying to find their niche, trying to find their piece of this action so they could provide opportunities to the people who have lived in those areas for such a long people of time, who have invested in those areas for such a long period of time, and are finding that because they for the most part belong to what is referred to these days as the old economy, or what some of us like to refer to as the real economy, they are being ignored, are being pushed to the back burner, aren't being appreciated and valued any more in the way they used to be.

We have a focus on high-tech that I think is very good, and I think the city of Kanata needs to be commended for some of the excellent work it's done over a period of time to establish itself. I had a group in from Ottawa about a month ago speaking to me about some of the things they were excited about and some of what they needed. They weren't saying to me that they needed a designation as the high-tech capital of the world. What they needed was more infrastructure, what they needed was this government to come to the table to help them with roads and water and sewer, and to quit downloading on the municipality, which is trying to help them, because the municipality is already overburdened in that area.

If you talk to probably any of the groups that have written to us here today regarding this bill and that are very concerned re what it says about one community versus all the others, they would probably tell you the last thing they need is a designation. Markham has already claimed that designation: Canada's high-tech capital. It's on their sign as you drive into their community.

But that's not what they really need. What they need are senior levels of government that really understand what they need and what it is that will support them in beginning to organize the common life of this province in a way that recognizes that there other things that are necessary, that there are resources that are necessary, and that there's the provision of health care and education for their population in a way that reflects the very important contribution that makes to any economy, and actually establishes Canada as a leader in the world where developing a good economy is concerned and sets us up as a place where more high-tech might come and want to invest.

This bill this morning does nothing more than attract attention from some communities that perhaps feel that some of their thunder may be stolen here. It does nothing to focus attention on the need for us to get our heads around what it means to do community economic development, where all parts of this province benefit and gain and where all parts of this province are encouraged and given the resources they need to build on the industries that are already there so we can all become part of the success story that places like Kanata are obviously enjoying at the moment.

1040

I have to say this morning that I won't be voting for this bill because I think it moves us away from some of

the real issues we should be dealing with where the economy is concerned and even where Kanata is concerned and where places like Markham and Toronto are concerned, and particularly where places like northern Ontario and rural Ontario are concerned. If we could have a fulsome discussion here this morning about the economy and how we have to be doing some things, taking some leadership, putting some resources into some of those areas of the province right now that aren't enjoying the same good fortune that specific areas are, then I think our time would be better spent and perhaps I'd be more supportive of the initiative of the member for Ottawa-Orléans.

What this does this morning is steal the thunder from other Ontario communities such as Markham, Kitchener-Waterloo and Burlington, which have made remarkable strides within the high-tech sector. It rankles the city of—

Ms Marilyn Churley (Toronto-Danforth): And Toronto.

Mr Colle: How can you leave out Toronto?

Mr Martin: Toronto has enough champions out there talking about it. Toronto doesn't need me standing up here. Toronto has His Melness out there around the world promoting Toronto. Toronto doesn't need me.

I want to talk about Sault Ste Marie and Sudbury and Chisleau and Wawa and Burlington and Kitchener-Waterloo and Markham and all of those places. It rankles these cities that this morning we're centring out one particular area of the province and saying that's the high-tech centre. We all want to be part of that action. We all want to take advantage of some of the spinoff that comes from that. We feel that by focusing on one place here, we're leaving everybody else out. By branding one city alone as having the capacity to bear this title, it fails to appreciate the rapidly changing nature of the high-tech sector. It's a frivolous waste of legislative time.

Rather than waste our time debating which city deserves the title, the Ontario government should be focusing on strategies to grow a high-tech sector in communities where high-tech industry is already established, and in communities in the north and rural Ontario where high-tech industries should be fostered and encouraged. But they're not, because the provincial government is absent; it's not there. I've been at tables over the last six years in rural and northern Ontario talking about economic development, and the group that is most noticeable by its absence is the provincial government. We don't know where they are. We can't find the Ministry of Economic Development and Trade any more. We think perhaps it's in a phone booth someplace in downtown Toronto.

Mr Colle: What's wrong with downtown Toronto? What have you got against Toronto?

Mr Martin: I'm telling you this is an opportunity to talk about the NDP's desire for true economic development, where not just Toronto and Ottawa are concerned but where the rest of the province is concerned, where Sault Ste Marie and northern Ontario and rural Ontario are concerned. We're very happy that Toronto is doing

well and we think it needs to do well because it's the engine of the province, but let's not put all our eggs into one basket. Let's not focus totally and completely on Kanata or Toronto or even Kitchener-Waterloo. Let's talk about the whole province here as a community. Let's do community economic development. Let's make sure everybody's able to take advantage of the new and exciting opportunities that are out there where the high-tech sector is concerned.

I think the member for Dufferin-Peel even agrees with that. His area probably needs some of that too.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I agree with you this morning. I think you're doing a great job.

Mr Martin: The only problem is, the two senior levels of government out there today, the federal Liberals and the Ontario Tories, don't seem to understand that. They don't seem to understand that they have a role to play, that they need to be putting their resources into community economic development, that the tax breaks they're giving are not in fact supporting or helping industry. What they're supporting and helping are those people who invest in industry. That has nothing to do with the actual day-to-day of whether an industry is going to be successful or not. It has nothing to do with focusing attention on parts of the province that could be helpful in the further development of some of these opportunities.

I was listening to the folks who came in from Ottawa. I hear every time I come down to Toronto about the problems those communities are having with infrastructure and overpopulation and the effect on the environment of placing everybody in the one geographic area. If senior levels of government would put some thought into how you might take some of that and share it out there with the rest of the province, with places like Sault Ste Marie, Thunder Bay and Sudbury, then we might have an economic development model that helps the whole province. Then we might all be better off and be able to deal with some of the problems that are presented in so many important, interesting and challenging ways in this province.

I say to you that we need to be, in this House, telling the provincial government and the federal government to put their money where their mouth is, to begin to invest in economic development that will really affect and help communities get a handle on some of the challenges they face; to put some money in the pockets of those real investors who actually live and work in communities so they can participate in the overall economic activity of the business they work in.

This bill does nothing to advance that agenda, and I won't be supporting it here this morning.

Mr Wayne Wettlaufer (Kitchener Centre): I am pleased to be able to speak to Bill 126, but the one thing I've noticed this morning is that something that has never happened before in this House—in the last five years, certainly—is happening this morning. There are members from all parties aligned on one side of the issue and there

are members from all parties aligned on the other side of the issue. The NDP and the PCs are used to the Liberals taking both sides of an issue, but it's usually the same member who takes both sides of an issue.

I want to compliment the member from Ottawa-Orléans, Brian Coburn, for bringing this issue forward, not because he's promoting Ottawa—Ottawa is a beautiful city, mind you; I lived there for three and a half years in the mid-1970s and it is truly a beautiful city—but because it highlights the issue. It shows everyone in Ontario, it demonstrates to everyone here, how important high-tech is to the development of this province, how important it is to the economy of this province and how important it is for the survival of the economy of this province. We will not only survive because of high-tech, we will prosper in the new global economy.

I want to take the opportunity to speak on behalf of the member from Cambridge, the member from Guelph-Wellington, the member from Waterloo-Wellington and others in my area who are very proud of the development of the high-tech industry in Waterloo-Wellington, the region of Waterloo. We own the Appalachian Silicon North. We're very proud of the development of the high-tech industry in our area. We have, for instance, 409 technology companies right now, and it's growing by hundreds every year and a half to two years.

We have four world-class educational institutions. One of the premier technology universities in the whole world, and certainly the premier technology university in Canada, is the University of Waterloo. Conestoga College of Applied Arts and Technology is Ontario's number-one-ranked college. Wilfrid Laurier University, one of Canada's top business schools and arguably one of North America's top business schools, definitely ranks within the top five. The University of Guelph is a world leader in biotechnology research, and my alma mater.

We have a business environment in Waterloo region that is attracting California-based technology firms. We have a high-tech industry that is well established and growing rapidly in the region of Waterloo. We have companies such as Research in Motion, the darling of the Toronto Stock Exchange; Open Text; Mortice Kerns, which is one of the world's leaders in e-commerce; Descartes; and Intellitactics, which is a small company that is employing 14 people every two weeks right now.

I want to say that we stressed the importance of the high-tech industry in our budget this year. We provided more money to R&D, intensive research. We did provide incentives. We did provide capital gains freedom, not total freedom but some lessening of the taxable gains shackles for those companies that are high-tech research companies that want to provide stock options to many of their employees in lieu of a salary right away. We provided some freedom for those companies.

Do you recall what the Liberals did to the budget? They voted against it. They voted against the incentives for high-tech.

Mr Speaker, there isn't a lot of time left for me. Thank you for allowing me to have my say.

1050

Mr George Smitherman (Toronto Centre-Rosedale): I must confess that this week has been such a dramatic one in terms of the topsy-turvy world of stock prices associated with high-tech companies, that I had written my speech on Tuesday and had started off with great fanfare, mentioning that Nortel Networks is a GTA high-tech company. It's still a very significant player, obviously, but as a result of yesterday they'll be less prominently featured.

I want to take up the suggestion someone else made. Next week perhaps I'll be introducing a bill that calls for Toronto to be named the engine of the Ontario economy, and we'll probably put signs up around the greater Toronto area.

I want to applaud the efforts of the member for Ottawa-Orléans with respect to this. His remarks clearly demonstrate the passion he has on behalf of his community. It started to sound a little bit to me like it was his maiden speech in the Legislature. I waited for him to talk about Ottawa and what it offers in terms of longer winters and extraordinarily quiet weekday evenings, which has been my experience in that place.

I want to say as well that we all recognize the importance that this sector is playing, not only in fuelling the Ottawa economy but indeed the economy of the province of Ontario and the country of Canada. As much as we may have some distinction about which municipality, or in fact whether any municipality, ought to wear that name, we applaud that good jobs are being created.

This debate has provided an opportunity to celebrate success, and we have many success stories all across Ontario. In the city of Toronto, Liberty Village, in Gerard Kennedy's riding, is providing new jobs, good jobs, for people. The buildings there, which are old heritage buildings, are coming to new life with companies in this sector. Similarly, in my own riding, in the King-Parliament area, FloNetwork and UUNET have made extraordinary new investments, and Indus Canada has recently offered up something of a new Canadian headquarters in the riding of Toronto Centre-Rosedale.

The key point that needs to be made here is that I believe this is not an appropriate issue to be dealt with legislatively. We see municipal pride come forward, and I think it's appropriate for municipalities to participate in the debate around which municipality leads in what area, and I think also to go through a process of deciding how they want to be known, but I believe it is below us in the Legislature, frankly, to be dealing with trying to name one municipality over another.

The recommendation that was made in the letter from Mitzie Hunter, the president of SMART Toronto, which also happens to be located in my riding, is an excellent one. She suggests that rather than appointing one city as the high-tech capital of Ontario, the province should look at itself as a smart province, celebrating the achievements of individual cities and encouraging these high-tech centres to work together toward the growth and development of the province as a whole as we compete in the

global marketplace. That is the notion I'll be using as I stand and vote against this bill, not because I don't recognize Ottawa's importance, but because I think we can do a better job of promoting Ontario as a whole rather than playing one part off against another.

I would like to echo briefly—and I hope infrequently in this House—the comments made by the member from Kitchener Centre. I think we may vote the same way on this, and that is a rarity in this place. I would say that this issue has brought diverse parts together. In the greater Toronto area, we can do a better job. We can follow Ottawa's example of doing a better job of marketing ourselves and talking about the extent to which these industries and this sector are fuelling economic growth.

I know that as a result of this, efforts will be made to try to bring those high-tech companies together in the five regions that make up the greater Toronto area so that we can bring forward, as the Ottawa—I can't remember what it was called, but earlier this year a team from Ottawa, led by Rod Bryden, a very passionate spokesperson on behalf of this sector, came forward. I think that greater Toronto area municipalities and high-tech companies will be working together to try to do the same thing.

I will vote against this bill because I don't think it's appropriate to recognize one municipality over another in legislation. I suggest to people that we embrace the notion that Ontarians and the Ontario government work to bring this kind of designation to the province of Ontario as we go forward to compete in the global marketplace.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I want to speak shortly on this matter by the MPP for Ottawa-Orléans, An Act to proclaim the City of Ottawa as the high-tech capital of Ontario. I want to laud the member for Ottawa-Orléans for supporting his area. I was struck by the remarks of the member for Toronto Centre-Rosedale. In substance they were very good, but at the end he said he's not supporting this, so it really didn't make a lot of sense to me in terms of what he was saying.

The preamble of the bill says, "The high-tech sector is an integral part of the Canadian economy. In the Ottawa-Carleton region, popularly known as 'Silicon Valley North,' over 1,000 high-tech companies generate revenues that total approximately \$12 billion a year. Many of these companies have become major players in the global high-tech marketplace."

Mr Coburn: It's \$17 billion.

Mr Tascona: It's \$17 billion? I wish that was in my riding. I'll refer to a quote from Mr Louis Payant, VP of research and development for Nokia, our newest high-tech addition. He stated, "Nokia is growing at a rate of approximately 50 people per day and they have a huge requirement for skilled software engineers and high-tech engineers. Kanata represents a core of talent, particularly in telecommunications, and Nokia wants to be part of that."

"Ottawa will carry the mantle as the top job machine over the next couple of years, as it has over the last couple of years," says Mr Derek Burleton, an economist with TD Economics. This translates into 60,000 jobs over the next three years.

I think the facts speak for themselves.

The Acting Speaker: Further debate? The member for Ottawa-Orléans.

Mr Coburn: Thank you, Mr Speaker. I'll just finish out my time, and then I get a two-minute wrap-up, I believe.

I want to put the mind of the member for Sault Ste Marie to rest. The province of Ontario, this government, invests considerable financial resources in the high-tech sector. In fact, the high-tech sector is 6.6% of Ontario's real GDP compared to 4.7% in the rest of Canada's. The high-tech sector is one of the rapidly growing sectors and accounted for 21% of Ontario's economic growth in 1999.

I want to talk about the Premier's Research Excellence Awards. These are awards handed out on an annual basis to recognize excellence in research and development. The University of Ottawa has received 28 of those awards since the program started, second only to the University of Toronto. To recognize their excellence, they each received \$100,000 from the province and \$50,000 from the university: Dr Rob Beanlands, Dr Steffany Bennett, Dr Pierre Berini, Dr Quentin Grafton, Dr Alexander Sorisky, Dr Sylvia Vidal, Dr Valerie Anne Wallace, and Dr Phillip Stephen Wells, at the University of Ottawa. Dr Gilles Patry, the vice-rector of the University of Ottawa, is extremely proud to be recognized for the excellence that members of his faculty have portrayed and contributed to the province of Ontario.

This is a sampling. There are others where we have contributed greatly, and I'll get into them in my wrap-up.

The Acting Speaker: Thank you. You have two minutes.

Mr Coburn: Talking about some of the exceptional programs we have in Ontario, we are involved in a program called CITO that works with members of our high-tech community, that takes advantage of their research excellence and their skills to promote the high-tech sector.

Some of the people who are pioneers in the Ottawa area: Denzil Doyle, who's recognized as the grandfather of high-tech and started Digital in Ottawa; people like Terry Matthews, Michael Coupland, Michael Potter and Dr Adam Chowenec of Tundra Semiconductor. These are the people who had a vision and a dream and the commitment and the dollars, and invested in our community and have worked tirelessly and supported and networked with young companies that started out in a garage and have grown into worldwide entities.

At the outset, when I introduced this bill, never did I have the intention to minimize the importance of high-tech in any other community, whether it be in Toronto, Kitchener-Waterloo, London or Markham. But I'm pleased this morning to have members from all sides of

the House debating the bill and talking about the strengths of their communities.

The member for Ottawa Centre, who comes from the same community I do, recognizes the strengths we have in our community and has proposed an amendment to this. I'm not averse to that at all. I think that if it goes to committee we will have an opportunity to further discuss it, and with the branding that will come forward from the city of Ottawa, who knows? We may be able to work something out that we can all agree on.

The Acting Speaker: This completes the time allocated for this ballot item. The question will be put at 12 noon.

1100

DEAF-BLIND AWARENESS MONTH ACT, 2000

LOI DE 2000 SUR LE MOIS DE SENSIBILISATION À LA SURDI-CÉCITÉ

Mr Young moved second reading of the following bill:
Bill 125, An Act to proclaim the month of June as deaf-blind awareness month / Projet de loi 125, Loi proclamant le mois de juin Mois de sensibilisation à la surdi-cécité.

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes for his presentation.

Mr David Young (Willowdale): I should say at the outset that I am honoured to lead off debate on my private member's bill, Bill 125, An Act to proclaim the month of June as deaf-blind awareness month.

About a year and a half ago I had the opportunity to visit the Rotary Cheshire Home in my riding, which I will talk about at some length over the next number of minutes. I was there in the company of the then Attorney General, Charles Harnick. It was my first visit, not his first visit; he had been there on many occasions prior.

The building itself is a fairly nondescript, handsome-looking low-rise apartment complex in the riding of Willowdale. It's situated in a fairly quiet residential portion of my riding. To anyone driving by or walking by, it doesn't stand out as being very different from any of the other buildings in that area. Inside, however, it's a totally different world. It's a place where with each passing day great progress is made and heroes are born.

Mr Speaker, with us today in the members' gallery are several tenants and staff from the Rotary Cheshire Home for the deaf-blind in the riding of Willowdale. With your permission, I would like to take a moment to introduce many of those individuals who are sitting in the members' gallery.

We have with us today Catherine Dominie, who is a tenant. Nazar Strejko, Wilfred Grieve, Doreen Duffney and Stephen Lindop are tenants in that home. Lorne Marin is here today. He is a consultant to the Rotary Cheshire Home. Cindy Babineau is housing manager. Dana Blais, Jacque Lewis, Louise Lambert, Max Estay

and Gord Johnston are all interveners. I'll talk in a moment about what that job entails. Nancy Longo is the intervener manager and she is with us today, as is Jennifer Robbins, the administrative assistant. A remarkable woman, Joyce Thompson, is the executive director of the Rotary Cheshire Home.

For the last eight years this facility, which I will focus on for reasons that will become apparent in a moment, has made an enormous difference in the lives of tenants and a difference in how our community operates. I am very pleased and honoured to have with us today the individuals I have just mentioned, and I thank them for joining us.

I also think it will be of benefit to the members present, in understanding some of the unique and great challenges that are faced by Ontarians with deaf-blind problems, to have our guests in the gallery today because, as I speak, there are a number of different forms of translation underway, a number of different forms of interpretation underway. You will see very clearly just how labour-intensive, how detailed and at times how difficult it is for this communication to take place, but take place it does.

Rotary Cheshire is a world-class facility, and I want to emphasize it is one of a kind in Canada. Funded by the Ministry of Community and Social Services, Rotary Cheshire is the only service provider in Canada, regardless of which province and which party's in charge, that is solely focused on adults who have acquired the disability of deaf-blindness.

This home provides daily access to intervener services and housing in a physical and communication-barrier-free environment, resulting in high-quality living conditions for its tenants. Rotary Cheshire is planning a major expansion that doesn't only relate to the residents and the tenants in its house; it is an expansion to reach out further to Ontarians and to Canadians, as this facility has done in the past.

This expansion is going to be largely funded by private donations. I should point out to you that at the present time Rotary Cheshire is a remarkable example of an effective, meaningful, private-public partnership. We need more facilities like Rotary Cheshire assisting people living with deaf-blindness all across this country, not just in Ontario.

The willingness of the board of directors and the staff and tenants of Rotary Cheshire to undertake this major fundraising initiative, which they are in the midst of, to expand their services further, the willingness of these individuals to not rely only on government funding, the willingness to undertake this major expansion is not only commendable, it is entirely in keeping with the spirit of locally based grassroots support of worthwhile community projects that this government has attempted to promote.

I'm hopeful that this bill, which is a very straightforward piece of legislation, will raise public awareness of the extreme challenges and disabilities of those afflicted with deaf-blindness. If passed, the bill will

designate June as Deaf-Blind Awareness Month. With that designation, it is my sincere hope that it will bring much-needed attention to the disability of Ontarians and Canadians with these challenges. It'll bring much-needed attention to their special needs and it'll bring much-needed attention to the efforts that are being made to expand opportunities for these Ontarians living with this disability.

The exact number of deaf-blind Ontarians is difficult to determine, because there are differing degrees of deafness and blindness that might qualify one at any given time for this designation. There are at least 3,000 Canadians; most estimates put the number considerably higher. So that we are clear, a person living with deaf-blindness is an individual with a substantial degree of loss of both sight and hearing, the combination of which results in significant difficulties in accessing information and in pursuing educational, vocational, recreational and social goals.

Deaf-blindness is a unique and separate disability from either deafness or blindness. An individual with the combined losses of hearing and vision requires very specialized services, including access to highly trained interveners and adapted communication methods such as tactile sign language and finger spelling.

I should point out there's no single cause for deaf-blindness. Some are born with these challenges. Some acquire it later in life either through trauma or aging. It is very important to recall that when one is faced with these challenges, depending upon where they are in life, the challenge of assisting them is that much greater.

I talked before about intervener services. We have many interveners here with us today. It is telling that in the province we have an intervener course that finds many of its spots unoccupied year-in, year-out. In talking to Joyce Thompson earlier, I was told that this year alone there are spots for young people or older people that simply haven't been applied for. It's clearly a very challenging profession, but it is my sincere belief that with the passage of this bill and the added attention that will be brought to the wonderful work that can be done, those positions at George Brown College will be occupied in coming years.

1110

I'm very proud to state that the government of Ontario has been recognized as a national leader in providing services for its deaf-blind citizens. Some of the Maritime provinces provide absolutely no support, but there is no province that provides greater assistance than this province, and I'm very proud of that. That said, I believe this legislation is a step in the right direction to further improve the lives of deaf-blind Ontarians. With June declared Deaf-Blind Awareness Month, it will appear on every politician's calendar and many will make that extra effort to promote this cause in their communities. Why? Because it is the right thing to do.

I am confident that the media will focus greater attention on the wonderful activities going on at places like Rotary Cheshire and the challenges deaf-blind Ontarians

face each and every day, and that they will spread this message and the importance of the cause. This is a bill; this is a cause we are supporting. With the support of this House, I am hopeful that June 2001 will be the first of ficial Deaf-Blind Awareness Month in Ontario's history.

Mr Ernie Parsons (Prince Edward-Hastings): I'm certainly going to support this bill, and if it is a step in the right direction, which I think it is, it's about 1% or less of the way we need to go. Everyone will support this bill because it's meaningless; it does not do anything other than appear to address the needs of the deaf-blind.

Everyone in this Legislature, I believe, knows somebody who has a disability. As an engineer, I tend to take and break down into components, so I thought about the issue of deaf-blind and tried to put myself in the place of one and the other, and then I'd like to look at it with the two together. I have no vision in my left eye. I have superb vision in my right eye. I tried to negotiate with the right eye closed, to try to experience in a small, awful way what blindness would be like, and I couldn't do it. I cheated. I simply couldn't do it, and I opened that eye.

I drive here to the Legislature. I come from my riding of Prince Edward-Hastings, and I see the beautiful colours of the autumn leaves. People who are blind miss that component in their lives. I know a gentleman who is blind, who told me he lost his sight when he was about eight and cannot remember all the colours any more. I tried to visualize and think of what that actually means. He can't visualize all the colours, and he is forgetting them one by one.

What are we as a province doing for people who are blind, to try to level the playing field? The Legislature did a study of upgrades that were required to this building. It was obvious that we needed an additional wash-room. That was indicated in the report and it was funded and it's being done. Also we needed better cleaning.

One item in there was that we should have Braille on the elevator buttons. That was the only item in the report that actually had a figure on it. The figure was \$15,000. It was deemed to be too expensive; it would be done at some future date. The Whitney Block was refurbished not that many years ago. No Braille was put on the elevator buttons there. Words are wonderful, but it's actions we need to do.

The member for Toronto Centre-Rosedale has a staff member here who is blind, and being blind involves some extra costs. Approximately \$2,000 was needed, over and above a person who did not have a visual impairment, to do the job. The Board of Internal Economy turned down the request for \$2,000 to make it possible for that blind individual to work here.

I have an extremely bright gentleman in my riding who is blind and was set for a job in the computer field, for which he was uniquely trained—it is not usual for a blind individual to be offered a job such as that. He lost it because of having to need a guide dog and that was denied.

My wife, who is here today, has a hearing impairment and requires hearing aids. She said to me that one of her

challenges is to explain to people that because she is deaf, she is not stupid, she is simply hard of hearing. The ODSP funds extremely poorly for hearing aids. They will pay \$500 for a hearing aid, which, in today's modern world, is an absolute, basic model unable to address a wide range.

We have 85% unemployment among the deaf in this province, not because they can't do the job, not because they are not capable of contributing to our society and contributing themselves. But I know that in my riding, when they apply for a job and require someone to sign for them at the interview, there is a three- to four-week waiting list because there is only one individual to do the signing for four counties. They are capable of doing the job. This government is not prepared to fund sufficient signers to do that translation for them.

In my riding and in two other ridings, we have schools for the deaf. I have a relative with no hearing whatsoever, and I've realized from her that her fear wasn't going off to school and being away from home. She found it fulfilling to be part of the deaf culture, to be part of her culture. They are unique, and they have special needs. What is this government doing for the deaf? We're selling off the one playing field the deaf community has in Ontario. We're going to sell it off to a private developer to make some money at the expense of our deaf athletes in this province.

Interjection: Where is that?

Mr Parsons: At Milton. In fact, even before this government declared it surplus, they already had an offer to purchase on it, though it was not yet advertised.

The deaf-blind face the two challenges together that I've described. We need to do far more for them than simply emotion with hollow words to it. The deaf-blind aren't looking for a handout. Our Premier has said at various elections that people receiving welfare don't want a handout but a hand up. I suggest that our deaf-blind community wants a hand up. We have the obligation to provide it.

It is ironic that as we are debating this bill to name a month for the deaf-blind, in all the other legislation we deny they exist. I suggest that a very meaningful way to assist the deaf-blind would be to educate the public about them and their uniqueness. In the new curriculum the government is so proud of, there is no reference to people with disabilities. We should be starting in grade 1 to make people familiar with all our citizens. It's not in the new curriculum.

What we need is a meaningful People with Disabilities Act to alleviate them of the need now of going through a two- or three-year process under the Ontario Human Rights Commission. They should be entitled to the same rights and privileges as every citizen in Ontario. We need a People with Disabilities Act and we need it now.

Mr Tony Martin (Sault Ste Marie): Right at the outset, I want to offer my congratulations to the member for Willowdale, Mr Young, who brought this piece of business before the House today. I think it is a most appropriate use of our time, to concentrate on something

that often doesn't get a lot of air time in this facility, which is the needs, the challenges, the aspirations and the opportunity out there, if we would put attention on it, for those who have disabilities; in this instance, those who are challenged with the disability of deaf-blindness.

I think it's a good thing to set aside time in the year when all of us, for various reasons and in various ways, can focus on an issue such as this. It's a wonderful educational opportunity, a wonderful learning opportunity and a wonderful opportunity for all of us who have an interest, and those of us who should have an interest who perhaps don't because we're too busy or whatever, to focus on the challenges out there for some of our fellow citizens as they try to participate in the everyday life of the communities in which they live, and in fact to capitalize on the potential they have to participate in a very constructive, positive and exciting way, if only we could get our heads around exactly how that happened, if only we were willing to put the resources into making sure accessibility was dealt with, and all that comes with that.

1120

I know that Mr Young, who brings this bill forward, has done a lot of work with the Rotary Cheshire Home. They need to be commended for the excellent work they've done over a long period of time now in an area that continues to need their attention and their inclusion and their involvement.

However, having said all that, and being willing this morning to support the bill the member has brought forward, I think we need to expand this discussion to focus for a time on the lack of activity by this government where accessibility is concerned and the introduction and passing ultimately of an Ontarians with Disabilities Act is concerned. I think this government's record where that work is concerned is abysmal and disappointing, to say the least.

I don't think we have to look very far to understand and realize how important it is that, in a jurisdiction as progressive and well-off and forward-looking as Ontario, we do everything in our power to make sure that those who are citizens, those who are members of that society, that jurisdiction, are allowed to participate to their fullest capacity.

Many of us know, by way of the inspiring Helen Keller story, that deaf-blind persons can gain and maintain their independence through teaching and facilitation. There is a broad range of communication languages and services to help deaf-blind persons learn to communicate with other people, but resources are needed to make sure they're put in place, not just in the Rotary Cheshire Home but in every office and every facility across this province, particularly where the delivery of public services is concerned, so that people with disabilities can participate, can get the information they need and can take advantage of those opportunities that are out there to maximize their potential and their capacity to be a major player.

I don't think there is any of us in this place who doesn't know somebody in our life, whether it's in our

family, in our neighbourhood or in our community, who has risen above or perhaps even built on the challenge they were given, whether it was something they were born with or that arrived later by way of perhaps sickness or accident, to contribute in a very meaningful and important way to the life of those around them, whether by way of being a conduit for communication, by way of being an organizer of various and sundry events, or by way of some of the very particular skills many of us have that a disability does not impair in any way but that sometimes seems to loom so large. When we get it out of the way, we realize that these folks have as much, and more, to contribute as anybody else.

I know people who are labelled primarily by their disability who, if you can move that aside, are actually quite brilliant in particular areas and sometimes aren't given the opportunity to develop that brilliance and contribute that brilliance to the overall well-being of the society we're in. That's unfortunate because in my view, when that happens, we all lose. We lose the contribution those people can give and can make to the overall betterment of our society, of our economy, of our community and of the personal lives we all live.

It's quite unfortunate, I think, that we, on the one hand today, focus on something that is very right, that is the right thing to do and that we should be doing and will be doing it, because I don't think there's a person in this place who won't be supporting this bill, yet on the other hand, not to be doing as government everything that is possible to make sure that people with disabilities can participate in the overall life of a community so that they're not singled out so often, so that they can contribute and participate with the gifts they have, in spite of the challenge they confront each day. This government hasn't been willing to speak directly and forthrightly with the disability community around the question of why it is and when it is we might expect to have before us an Ontarians with Disabilities Act that would open the doors and throw open the offices of government and society so that folks could participate in that way.

I want to share with the people here today a little piece of my life where I struggled with my own place in society and life. I'm not particularly disabled, but certainly all of us at some point or other in our lives struggle with things that come at us. It was through an introduction to a very well known Canadian, Jean Vanier, who at one point in his life turned his attention to living with a number of disabled individuals and through that experience discovered that these people, in many significant and important ways, weren't disabled at all.

If we could get past those things that so often get in the way of our getting in touch with the very real and precious and positive and exciting person and opportunity that is there in each person, we discover that everybody has something to offer each one of us and has something to offer the larger society, if we would only take the time, make the effort and have the patience to work with that and get the job done.

We have an example in some of the work that Jean Vanier has done of how we as a society, simply by changing our attitude, by learning some more, by actually committing ourselves to be involved in a more meaningful way with all those folks around us, can discover that there are far fewer disabilities than there are possibilities for people, if we wanted to do that.

I'm here today, as I said before, to support this bill, but also to challenge the government and to challenge Mr Young, who obviously has a tremendous interest in this or else he wouldn't have brought it forward, to talk with his colleagues and particularly the ministers who are responsible in his government to make sure that some significant and important work is being done on the question of an Ontarians with Disabilities Act, so that we can have it before us here before Christmas of this year so that we can deliver to the people with disabilities across this province a Christmas present that says to them, "We are going to do everything in our power. We are going to put all the resources available to us."

There are significant resources available. We are living in a time now in Ontario of unheralded surpluses in public coffers: surpluses at the federal level, surpluses at the provincial level, that are historically high, which this government sees fit to take big chunks of and turn back by way of tax breaks to those who really are participating to their fullest, who really have the maximum opportunity to participate and to even make more money.

In my view, a big chunk of that money should be allocated and spent in ways that would allow more of the ordinary citizens and people with disabilities in this province to maximize their potential to participate and become full citizens and take advantage of all of the wonderful things that we can communally, as a community of people, afford for each other, if we only had the mind, if we only had the political will and the commitment to do that.

1130

I want to put on the record here this morning a number of questions that the community of people with disabilities and their leadership put before the Minister of Citizenship and Culture of this province only a short time ago and to which they still have not gotten an answer. They asked:

What will the government's action plan on the Ontarians with Disabilities Act contain when it is released? We have a pretty good idea now, given the document that was leaked and presented in this House just a week or two ago, what will be contained in this bill if and when it comes forward. I have to say, frankly, that we and the community of people with disabilities are quite disappointed. As a matter of fact we're not only disappointed, we're shocked and dismayed and angry about that.

Whom has the minister and the government specifically consulted with on the contents of the Ontarians with Disabilities Act?

What specific feedback and options for this legislation have the minister and the government received? If we look at the document that was released, not too much.

Obviously it is becoming an exercise in spin and public relations: how do you get out from underneath this commitment you made, as opposed to, how do you take advantage of this opportunity to actually do something significant and important in the province?

What decisions about the content and timing of the enactment of the Ontarians with Disabilities Act have been made by cabinet or its priorities and planning committee? The member for Willowdale ought to be listening to these questions. I think these are questions he should be asking his colleagues if he's really, truly interested in improving the lot of folks with disabilities across this province, in this instance of course the people who are deaf-blind.

Why has the government been so reluctant to enact a strong and effective Ontarians with Disabilities Act? And why has it been delayed so long?

Will the Ontarians with Disabilities Act that you bring forward comply with the 11 principles which the Legislature, including your party, unanimously adopted in its October 29, 1998, resolution?

What is your approximate target date for introducing the Ontarians with Disabilities Act for first reading? And will you support the holding of open, accessible public hearings across Ontario on the bill?

Finally, what can you do to help us arrange a meeting with the Premier to move this act forward?

I say to the member for Willowdale that if he really wants to do something meaningful here this morning, along with what he's doing—I don't for a second suggest that this is not meaningful; it is tremendously meaningful to have a month dedicated to issues of blind-deafness. But will you speak to these folks and to the community of people with disabilities in Ontario and arrange for them a meeting with the Premier so that they can express to him in no uncertain terms the very immediate need for an act to deal with Ontarians with disabilities in this province?

Last but not least, I challenge all of us here in our own operations to take a look around at our offices and at the things we do and assess and analyze that and come to some understanding of how accessible we are as MPPs to all citizens in our communities. Ultimately, justice and fairness and an act like this start at home, start with us.

Mrs Brenda Elliott (Guelph-Wellington): It's a pleasure to rise and speak in support of Bill 125, the Deaf-Blind Awareness Month Act, and I warmly welcome our special guests here in the gallery today.

I was interested to learn that the month of June was chosen because it's the birth month of Helen Keller. At the age of 19 months she suffered an illness which left her blind and deaf, and a few years later another great Canadian, Alexander Graham Bell, examined her and sent her to the Perkins Institution for the Blind in Boston. There she learned to recognize objects by touch, to communicate by having others draw in the palm of her hand and to read Braille. Later on at the Horace Mann School for the Deaf, she began the long process of

learning to speak. Her perseverance is a tribute to her character.

Later on in her life, through her books and through her lectures across North America, she inspired the deaf-blind community and raised awareness of this unique disability amongst the general population.

As my colleague mentioned, it's estimated that there are about 3,000 people across Canada who face the challenges of deaf-blindness every day. That's about one thousandth of 1% of this country's population, and it's quite likely that very few of us will have the opportunity to meet and learn from someone who is deaf-blind.

Clearly, an officially recognized awareness month will help all Ontarians learn more about the challenges of deaf-blindness. This bill, if passed, will help to carry on the legacy of Helen Keller and others who have sought to raise awareness of disability. It'll be a credit to this member, to this House and to the government of Ontario.

This is a government that has done a lot to assist the disabled in Ontario. We have removed disabled people from the welfare system and implemented the Ontario disability support program that eliminates financial penalties for those who are not successful in their attempts to enter the workforce. We spend nearly \$6 billion a year on programs for the disabled. Since 1995, we've introduced more than \$800 million in new spending on key disability programs. We're spending \$45 million in developing housing spaces and supports for people with mental illness and providing an additional \$70 million, on top of \$1.2 billion, for protected special education each year; \$35 million for improved employment supports for people with disabilities; \$60 million to improve community and institutional mental health services; \$18.7 million for attendant care, which is a marvellous program our government made permanent; \$4 million for children's treatment centres that will improve access to health care services for special-needs children.

We are leading; we are doing a lot. I'd just like to specifically draw your attention to, the partnership incentive fund, which is a program that involves government, corporations and community organizations. For instance, the community access-ability program is a program of \$200,000, and in the first year of this program 46 community projects across Ontario, involving 154 community partners and over 3,000 persons with disabilities, were funded, 34 events were held, over 600 workshops and 25,000 pieces of literature. These programs are happening, they are vibrant, they are responding to the needs of the communities, and we are proud to be leading in that.

As my colleague from Willowdale indicated, Ontario is recognized as a leader in initiatives for deaf-blindness. Those are just some of the things that we are doing in this particular file.

We have many new initiatives for the disabled in the province of Ontario, and we take these very seriously. Our government prides ourselves on keeping our promises and on doing the right thing. We take that to heart. The Mike Harris government is working to make this great province the best place in the world to live, to work

and to raise a family. Thanks to this government, we do have a stronger economic foundation on which to build a brighter future for all Ontarians, and that particularly includes those who daily face the challenges of a disability.

My colleagues across the way say we have done nothing. In fact, I say to the Liberals and the NDP, when you were in government you did very little, for all your talk. We have done a lot, we know that there is more to do and we will do more. This is just the beginning.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate. I express a little bit of sadness in the previous speaker to say that I'll be supporting the motion. I do think it's a worthwhile step to proclaim the month of June as Deaf-Blind Awareness Month. It is a step forward. I think some good will come from it. I think, as we move forward on this, that the minister and the Premier need to re-examine their own priorities. I think the Ontarians with Disabilities Act is an extremely important act. Proclaiming the month is, as I say, a step forward, but the disabilities act is really what is needed.

I'll tell a very quick story. A good friend of mine with the Toronto police emergency task force about 12 years ago got into a car accident one evening and became a quadriplegic. That didn't stop him. He never lost his sense of optimism. Even within 24 hours of the accident he was looking forward to the future. To the Toronto police force's credit and to my friend's credit, about five years after the accident he was able to go back to work on the police force. He became probably Canada's expert on youth gangs. He then took the detectives exam and the Toronto police force promoted him to detective. He headed up a unit of about 14 people and now is heading up a brand new unit.

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The reason I mention this is that here was an individual whose life was fundamentally changed. He became a quadriplegic, but through his own perseverance, through an employer who understands that there is enormous talent available to them if they can provide some modest accommodation, and through technology—those three things meant that Ontario is taking advantage of an enormous talent at a relatively modest cost.

That's what the deaf-blind community needs and is looking for: for Ontario, all of us, to make those sorts of investments in them to help unlock the enormous talent that exists within that community. As I say, I know firsthand from my good friend what he has been able to do in spite of a disability.

So I say, certainly, that the month is a first step. Some good will come from it. But we need to take the next big steps. I do believe the disabilities act is an important step forward for the government to move quickly on.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm pleased to join in the debate with respect to Bill 125, An Act to proclaim the month of June as deaf-blind awareness month. I think the preamble of the bill speaks for itself about what the member for Willowdale was trying to accomplish here:

"Deaf-blindness is a unique disability that incorporates the sensory loss of both sight and hearing. Persons with this disability experience extreme isolation and the inability to access the services and information which most of us take for granted.

"June is the birth month of Helen Keller, a deaf-blind person known around the world for her perseverance and achievements, and an inspiration to the deaf-blind community. It is appropriate during the month of June to celebrate the achievements of deaf-blind persons, and to recognize that increased public awareness of this disability is crucial to increase opportunities for those who live with it.

"Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Ontario, enacts as follows:

"Deaf-blind awareness month

"1. The month of June in each year is proclaimed as Deaf-Blind Awareness Month."

Dealing with this legislation in its substance, children affected by deaf-blindness: approximately one third of all persons living with deaf-blindness were born with rubella syndrome. German measles, a contagious disease that affects the fetuses of women in their first trimester of pregnancy, results in many children born with hearing and vision losses.

The number of children affected around the world gained the attention of educators and service providers, who understood the importance of planning for this new group of students who would need services. This led to the creation and expansion of services for the deaf-blind. An example of these services is the Canadian National Institute for the Blind deaf-blind services department. This department receives funding from the Ontario Ministry of Community and Social Services.

I participated in and supported the CNIB forum in my riding about a week and a half ago, which was attended by a number of stakeholders from the education community, to bring more awareness throughout my riding. It was very well attended. I want to congratulate the CNIB and also in particular a good friend of mine, Margarita Papp-Belyneh, who was responsible in great part for this event.

Also, the Canadian Hearing Society, an Ontario service for the deaf and hearing-impaired individuals: this group receives funding from the Ministry of Community and Social Services, the Ministry of Health, the Ministry of Education and the Ministry of Training to provide counselling, job search and access to technical devices.

The major issue for the deaf-blind community is the lack of interveners and intervener services. This is largely caused by the very small number of people who choose to make being an intervener their career. There is only one educational institution in Canada, George Brown College here in Toronto, that trains students to become deaf-blind interveners. Only 17 students have enrolled to train as interveners for the next year. By heightening public awareness of the disability of deaf-blindness and

the needs of this community, perhaps more young people will choose a career as a deaf-blind intervener.

Adults affected by deaf-blindness: approximately two thirds of those persons living with deaf-blindness acquire deaf-blindness later in life through trauma and accidents or disease. There are many different causes of deafness and blindness. The age of the person when their vision and hearing losses occur requires very different approaches when they plan their education, training and rehabilitation. Also, the communication system they develop as their preferred communication method, their language levels and fluency in grammar and reading skills greatly impact on which social community they may associate with and their service needs.

I'll say this: our government has been working to make Ontario the best place in the world to live, to work and raise a family. With Ontario's economy as strong as it is thanks to the efforts of our government, we need all the skilled workers we can get to help us move forward.

The facts are that the government spends nearly \$6 billion annually on services to persons with disabilities. That's an increase of more than \$800 million since our government took office in 1995. In 1998 we consulted over 300 organizations in eight cities across Ontario. We received 260 written submissions from people who expressed their views on what should be in an Ontarians with Disabilities Act.

Examples of what we've done in this area: we've removed disabled people from the welfare system and implemented the Ontario disability support program, which eliminates financial penalties for those who are unsuccessful in their attempts to enter the workforce. We've visited with the March of Dimes, our partner in the accessibility program, which works in partnership with the private sector to help make our world more accessible. The minister has met with kids who participate in the track 3 ski program, who work with disabled kids and teach them how to ski.

We have done a number of initiatives to reach out to the community, and I want to commend the member from Willowdale for this, another initiative with respect to bringing forth our approach to dealing with this issue.

Mr Steve Peters (Elgin-Middlesex-London): I'd like to welcome our guests from Rotary Cheshire Homes here today. I had the opportunity to visit the facility this spring and was most impressed with the efforts taking place there.

It was very sad to hear the parliamentary assistant to the minister responsible for persons with disabilities not mention once the need for a strong and effective Ontarians with Disabilities Act in this province. Promise made, promise not kept. That's a very sad day.

I had an opportunity to meet and listen to an individual. Her name is Penny Leclair. Penny is deaf-blind. Penny is a member of the Canadian Society of the Deaf-blind, Canadian Federation of the Blind Advocates for Equality, Canadian Congress for Learning Opportunities for Women, Guide Dog Users of Canada, and Canadian National Institute for the Blind. I'd like to relay some

comments and some thoughts of what it's like for a person with deaf-blindness. I'm going to read from Penny's brief that she presented to me.

"I am an informed person who is deaf-blind. I advocate for changes that would have a positive impact for the majority of people who are deaf-blind. In general, it is my view that the recently proposed ODA"—Bill 83—"does not address the needs of disabled persons in Ontario and particularly the uniqueness of the disability of deaf-blindness....

"It is every deaf-blind person's right to have access to equal education, access to information, adequate housing and access to services. The resources to achieve these rights are lacking. In reality," Bill 83 "itself is meaningless without the provision of resources that would allow disabled persons to access these rights. For the deaf, blind and deaf-blind, information in a meaningful format is a must....

"Many deaf-blind people are unaware of most services available to them because of the lack of accessible information....

"Most deaf-blind persons receive less than six hours of intervention per week. (The intervener is a person who assists with communication.) We cannot achieve improvement in our lives, and have very limited independence with such inadequate communication assistance. Our ability to contribute to our community requires intervention, the personal assistance of a professional intervener.... The changing environment requires an ability to communicate. Deaf-blind persons need to know of changes and capitalize on new opportunities. This is not a reality at present....

"If the barrier of not being able to communicate continues, deaf-blind Canadians will become more and more isolated. People are meant to interact with other people. We are a society. If we are not given resources to communicate, other health problems arise, increasing the long-term costs for health-based support structures.

"Increase intervention services, equitably distributed to the level of daily intervention, not weekly. Even as little as two hours per day of the ears and eyes of a professional would overcome many of the communication barriers for deaf-blind persons.

"Businesses, especially legal and government departments, should be required to have all documents produced in a person's preferred method of communication: print, Braille, or with the use of an intervener.

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"If government has a responsibility for resources.... Currently, it is not understood which ministry has what responsibility, and one needs to be an expert in government politics and practices to know where and how to acquire a resource. This has to be addressed....

"Deaf-blind people require intervention as a unique service. Many of our basic human rights can only be achieved with more intervention services."

It's a sad day when a backbencher has to come forward to work for persons with disabilities in this province, and no initiatives from the minister. Yes, I support

the awareness question. I think it's a very important step. But awareness doesn't pull down the barriers that exist in this government. The only way to fully remove these barriers is to pass a strong and effective Ontarians with Disabilities Act.

Mr Brian Coburn (Ottawa-Orléans): I am very pleased to speak to the member from Willowdale's bill this morning, the Ontario Deaf-Blind Awareness Month Act, Bill 125.

The Rotary Cheshire Homes facility is the only service provider in Canada which is solely focused on adults who have acquired the disability of deaf-blindness. They provide daily access to intervener services and housing in a physical and communication barrier-free environment, resulting in quality-of-life living conditions for the residents.

This particular bill has certainly struck a chord with me, as my wife has spent a great part of her life working with individuals with disabilities. She has told me of the many challenges that individuals face when they are deaf. I can only imagine the tremendous challenge an individual would face with the additional barrier of blindness. I certainly understand the important role an intervener plays in the interaction of a person who is deaf-blind with other people and the environment around them.

Our government is working to improve the lives of persons with disabilities. In fact, the Ministry of Community and Social Services is providing funding to the Rotary Cheshire Homes. Our government spends nearly \$6 billion annually on services to persons with disabilities, which I must point out is an increase of more than \$800 million since we took office in 1995. We have created and expanded services for the deaf-blind, particularly the deaf-blind services department in the Canadian National Institute for the Blind and the Canadian Hearing Society.

We promised legislation to improve the lives of persons with disabilities and we are committed to passing new legislation next year, legislation that will be fair and reasonable for people with disabilities as well as those who are in a position to accommodate their needs. The legislation will have an action plan that will focus on changing attitudes, namely, helping those with disabilities to truly share in the opportunities of Ontario.

As members know, we have consulted with over 300 organizations in eight cities, as well as receiving over 260 submissions from people who have expressed their views on what we should do in an Ontarians with Disabilities Act. I can tell you that Minister Johns continues to consult.

In my riding of Ottawa-Orléans, I have an exceptionally energetic and caring lady by the name of Marilyn Dow. Marilyn sees the challenges faced by parents who have a member of their family who has a disability day in, day out. She is one of those parents. But she has also seen a need for a service that shared expensive equipment for special disabilities, which many families simply could not afford. Eight years ago she started the special-needs equipment exchange, in her own home. Needless to say,

this was a service welcomed by families with disabilities across the entire city of Ottawa. No money changes hands. People bring equipment they no longer need or have outgrown and trade it in for better or more specialized equipment. Volunteers help to repair the equipment. It has outgrown her basement now and larger space has been donated, which is now not sufficient to handle the volume.

I told Minister Johns of this exceptional service provided by parents and volunteers under the tireless direction of Marilyn Dow. Marilyn and the parents were delighted to have Minister Johns visit the special-needs equipment exchange service. To my knowledge, it is the only service of its kind in Ontario. Marilyn and the parents had an opportunity to explain their needs and special circumstances to Minister Johns, who was extremely interested in having their concerns expressed to her first-hand. This is the personal touch that Minister Johns has brought to this issue, talking and consulting with individuals who can best suggest solutions.

I also have a constituent who is deaf-blind who visited my office with her intervener, where we talked about barriers and challenges she faces and how she might address them. Her input and suggestions were welcomed by Minister Johns. This additional information will help us develop legislation that will improve the lives of persons with disabilities.

I am sure that we all have stories which demonstrate the progress and assistance that volunteers and organizations such as the Rotary Cheshire Homes provide to Ontarians who have disabilities. It is their partnership and commitment, coupled with our government's initiatives, that will continue to improve the quality of life for individuals with disabilities. Bill 125 is an added initiative that will increase the awareness of the need for interveners, and perhaps more young people will choose a career as a deaf-blind intervener.

Mr Young: I thank my colleagues on both sides of the floor for participating in this discussion today. The very fact that the discussion took place is a positive step forward.

The passage of this bill, if it's the will of this Assembly to ultimately pass this legislation, will be another step forward. That's how one travels down the road, by steps forward. I'm very proud of the fact that the speakers to date have all indicated that they will be supporting this legislation.

I am also very proud of the work that has been done by this government. I indicated earlier in passing—I will expand now, if I may—that Ontario is the national leader in providing services for the deaf-blind in Canada. This is based on the number of services available to deaf-blind people, as well as the number of deaf-blind persons receiving these services. I challenge anyone in this Legislature to compare the services provided in this province to those provided in other provinces, whether they be governed by an NDP government or the Parti Québécois, or whether they be government by the Liberals in Newfoundland. In fact, I had the opportunity recently in the

Rotary Cheshire Homes to meet a tenant who is from a maritime province who came to Ontario and whose life has been enriched greatly by reason of the services that are provided here.

So yes, there is more to do. There is always more to do. I have the utmost confidence that Minister Johns, with the assistance of her parliamentary assistant, the member from Elgin-Middlesex-London, will move us forward in that direction, as they have in the past. This is a government with the wherewithal. This is a province that can further improve the lives of those with this affliction. I'm very proud to be standing today and I look forward to the passage of this very important legislation.

The Acting Speaker: This completes the time allotted for this ballot item.

HIGH-TECH CAPITAL OF ONTARIO ACT, 2000

LOI DE 2000 SUR LA CAPITALE ONTARIENNE DE LA HAUTE TECHNOLOGIE

The Acting Speaker (Mr Michael A. Brown): We will now deal with ballot item number 43. Mr Coburn has moved second reading of Bill 126, An Act to proclaim the City of Ottawa as the high-tech capital of Ontario. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will call in the members after we deal with ballot item number 44.

DEAF-BLIND AWARENESS MONTH ACT, 2000

LOI DE 2000 SUR LE MOIS DE SENSIBILISATION À LA SURDI-CÉCITÉ

The Acting Speaker (Mr Michael A. Brown): Mr Young has moved second reading of Bill 125, An Act to proclaim the month of June as deaf-blind awareness month.

Shall the motion carry? Carried.

HIGH-TECH CAPITAL OF ONTARIO ACT, 2000

LOI DE 2000 SUR LA CAPITALE ONTARIENNE DE LA HAUTE TECHNOLOGIE

The Acting Speaker (Mr Michael A. Brown): Call in the members for a vote on ballot item number 43.

The division bells rang from 1200 to 1205.

The Acting Speaker: Mr Coburn has moved second reading of Bill 126. All those in favour will stand and remain standing until their name is called.

Ayes

Agostino, Dominic
Baird, John R.
Boyer, Claudette
Cleary, John C.
Coburn, Brian
Duncan, Dwight
Gerretsen, John

Guzzo, Garry J.
Hastings, John
Klees, Frank
Lalonde, Jean-Marc
Munro, Julia
Mushinski, Marilyn
O'Toole, John

Patten, Richard
Spina, Joseph
Sterling, Norman W.
Stockwell, Chris
Tascona, Joseph N.
Young, David

The Acting Speaker: All those opposed will please stand and remain standing until their name is called.

Nays

Caplan, David
Chudleigh, Ted
Colle, Mike
Cordiano, Joseph
Ecker, Janet
Elliott, Brenda
Gilchrist, Steve
Gill, Raminder

Kennedy, Gerard
Kwinter, Monte
Marland, Margaret
Martin, Tony
Martiniuk, Gerry
Ouellette, Jerry J.
Ruprecht, Tony
Sampson, Rob

Smitherman, George
Tilson, David
Tsubouchi, David H.
Wettlaufer, Wayne
Witmer, Elizabeth
Wood, Bob

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 19; the nays are 22.

The Acting Speaker: I declare the motion lost.

All matters before the House relating to private members' public business now being complete, I will now leave the chair. The House will resume sitting at 1:30 of the clock.

The House recessed from 1208 to 1330.

MEMBERS' STATEMENTS

SERVICES HOSPITALIERS

HOSPITAL SERVICES

M^{me} Claudette Boyer (Ottawa-Vanier) : J'aimerais, au nom de Dalton McGuinty et de mes collègues libéraux, parler des récentes annulations de chirurgie à travers la province, et surtout dans mon comté d'Ottawa-Vanier.

Many of my constituents have had their surgeries cancelled at the last minute because no beds were available to them, and these people have not been waiting for short periods of time. No, some have been on waiting lists for more than 10 months.

The Minister of Health and Long-Term Care has promised to fix this serious problem, yet little has been done. We have heard announcement after announcement about how she is getting the job done, yet there is little evidence that this is happening.

I wonder if Maggi Baker of Ottawa, whose hip replacement surgery has been postponed twice, believes that this government is getting the job done. What about Douglas Forteath, who waited seven months for hip replacement surgery? What about Victor Woodward,

whose prostate surgery, scheduled for October 10, was cancelled? I wonder if Allan McCulloch of Ottawa, who has been denied investigative surgery twice, thinks that this government is getting the job done.

The reason there are no beds available to these patients is because the beds are being occupied by long-term patients. Why doesn't this government provide separate facilities for long-term patients in order to free up hospital beds for people like those whose names I have given you?

Si la ministre pense honnêtement que le problème est sous contrôle, il me ferait plaisir de lui donner les numéros de téléphone de mes commettants et de mes commettantes qui sont encore sur une liste d'attente pour qu'elle puisse leur dire elle-même qu'ils n'ont rien à s'inquiéter.

Mr Gerry Martiniuk (Cambridge): Mr Speaker, I have a matter of privilege I'd like to raise at this time.

The Speaker (Hon Gary Carr): I do have a reply to that. Maybe we'll do it after members' statements, if we could.

DIWALI

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): Today over 400,000 Ontarians, including my family, will be celebrating Diwali. Diwali is celebrated by over one billion people throughout the world, including India, Europe, Guyana, Trinidad and Tobago, Malaysia and Fiji.

Diwali is one of the most festive occasions for members of the South Asian community. Diwali, or the festival of lights, as it is popularly known, is symbolized by the lighting of innumerable lamps, or deeyas, in and around every home. On Diwali day prayers are held at homes and at temples. Feasts are prepared, sweets are exchanged and fireworks are displayed.

The festival of Diwali also commemorates the return of Lord Rama to his kingdom of Ayodhya after 14 years in exile, and the return of Guru Hargobind Ji to the city of Amritsar after his release from captivity by the Mughal ruler Jahangir.

On behalf of the South Asian community, I would like to extend an invitation to all Ontarians to join with us at 3 pm this Sunday at Queen's Park for the ceremonial lighting of a deeya and a parade from Queen's Park to city hall.

On this most auspicious Diwali day, I would like to extend greetings to all members of the South Asian community across Ontario and especially in my own riding. I wish and pray that we are all blessed with harmony, love and positive thoughts.

Happy Diwali to all. Namaste and Sat Sri Akal.

FINANCIAL STATEMENTS

Mr Gerry Phillips (Scarborough-Agincourt): My question is really, where are the financial statements? Where are the audited statements for the last fiscal year?

I remember when Mike Harris was in opposition, he berated the NDP for not getting the statements out properly. When he got elected he said, "We'll have these things out in 90 days." Well, that was the end of June. Where are they? That's the question. We now are not three months after the year-end, we're seven months after the year-end. I always say to my business friends, "If you tried to run your company like this, you'd be delisted from the stock exchange." If you don't have your audited statements in within 140 days you get delisted. But not Mike Harris. He can take his own time.

Mr Tony Ruprecht (Davenport): Hiding.

Mr Phillips: That is the question: what are they hiding?

The Minister of Health had the embarrassment of showing up last week at estimates with a \$2.5-billion mistake. They asked the minister one question and she said, "Oh, we're going to have to adjourn for a week, because obviously I've got some of the wrong numbers here."

So I say to Premier Harris, let's get on with it. Where are these audited financial statements? What have you got to hide? Let's see those statements. Why don't you live up to that promise of, "Within 90 days I'm going to have the audited statements"? We're still waiting after seven months.

LIBERAL PARTY OF ONTARIO

Mr Wayne Wetlaufer (Kitchener Centre): It must be very difficult to be a member of the provincial Liberals these days. Imagine the difficulty of rallying the troops when you find that the number one economic policy of our government, which they've attacked since 1995, is now the primary plank of the federal Liberal 2000 election campaign.

What do the provincial Liberals do now? Do they do what their federal cousins have done: admit through a tax-cutting platform that this government's economic policy has been right all along? Do they stand up in this House and apologize to the people of Ontario, admitting to the error of their ways?

There would be no snickering on this side of the House if the Leader of the Opposition were to stand on his feet and say something along the lines of, "I've decided to come clean. I've decided to let the people of Ontario know that, like my federal cousins, I now know that the economic policies of the Mike Harris government have been correct all along."

I don't expect that. It would be too big a pill for him to swallow. But I do want to thank the Prime Minister. It took only five years for Jean Chrétien to finally get an understanding of economic policies, and in terms of Liberal time frames, five years is record time. It took him only five years to finally figure out that if he wanted a chance to win the upcoming federal election he would have to follow the leadership of the Mike Harris government.

These are tough, tough days to be a member of the provincial Liberal Party. Who knows? Maybe Mr McGuinty will finally do the right thing: exhibit leadership. In the meantime, our government will lead the province toward continued economic prosperity.

POLICE JOB FAIR

Mr Mario Sergio (York West): On Saturday, October 21, I attended a recruitment and testing session conducted by the Toronto Police Service at the Downsview park lands. I was pleased to witness this initiative by our Toronto police force as part of their ongoing efforts to provide trained, qualified and much-welcome additions to our police force. It is most important to see that recruiting efforts are aimed at men and women from all backgrounds and walks of life, including people of various races, cultures and religions.

The intention of the police job fair was to provide information to candidates seeking the position of police constable. The Toronto Police Service strives to reflect the communities in which it serves. The Toronto Police Service needs include visible minorities, aboriginal peoples, females, second-language skills, and residents of Toronto and the greater Toronto area.

Hosting police job fairs aimed at promoting career opportunities in policing reflects the importance our police force places in seeking recruits who are committed to working in partnership with the community to ensure that Toronto is the best and safest place to be. And that it is.

We are truly grateful and proud that our neighbourhoods, our communities and our cities are always well served and protected due to the police service efforts to recruit and hire the best and most talented young people for their organization.

HONOURS IN HAMILTON

Mr David Christopherson (Hamilton West): I rise today to bring to the attention of the House recent celebrations in Hamilton, last month, of two outstanding Hamiltonians. On September 21, at Liuna Station, we had a celebration for Dermot Nolan, who received the Emilius Irving award, which was named after the first president of the Hamilton Law Society, who was elected in 1879. The Hamilton Law Association chose Dermot because of his outstanding contribution not only to law but to our community. In fact, he's only the seventh recipient to receive the award and the first since 1997. Dermot is probably best known in Hamilton for his tireless efforts in spearheading the creation of a new downtown Hamilton courthouse, which we are all so proud of.

The following night, September 22, at the Hamilton Convention Centre, we celebrated the retirement of Bill and Lynne Powell and their 25 years with creative arts. They're also best known for their creation of the Festival of Friends. As Jeff Mahoney, the reporter for the Hamilton Spectator, put it, "They brought Canada to

Hamilton." The highlight of that evening was the surprise arrival of their daughter Kim, who had been secretly flown in from BC to be there.

I would ask all members of this House to join with me in acknowledging and paying tribute to these fine, outstanding Hamiltonians.

1340

TAX REBATES

Mrs Julia Munro (York North): I rise today to applaud our government's tax rebate of \$200. I want to quote from an article that appeared in the local paper of a small town in my riding of York North.

The town is Georgina, with 20,000 tax dividend recipients. That means approximately \$4 million will be coming into our town.

If the residents of Georgina choose to spend the money in Georgina, that is a major injection into the local economy. Some people think that it's about time the government gave taxpayers back some of their hard-earned tax dollars. Whatever your opinion is, it is your money to do with as you please.

There are plenty of worthwhile charities and organizations in Georgina that could use the money. The United Way, for example, has its annual campaign underway. They contribute to many causes in Georgina. Residents could save for a rainy day, put the money in an account for a child, or do something extravagant, like take in a Leafs' game. You might want to start your Christmas shopping early. Just be sure to spend some of the money in Georgina, where hard-working businesspeople do much to support worthy local causes like minor sports, the Sutton agricultural fair, and the Red Barn, just to name a few.

I will be contributing my \$200 dollars to a charity in my riding of York North. Tax cuts stimulate the economy and create jobs. Let's hope this is the first of many such cheques.

SUTTON MEDICAL CLINIC

Mr George Smitherman (Toronto Centre-Rosedale): An interesting quirk of timing it is that I get to stand on the subject of the town of Georgina and the community of Sutton. The member opposite who just spoke has, for the 10th time since October 1, stood in this House and talked about her community, not once directing her attention to the closure of the Sutton medical clinic. You talk about where the money is going to go. The money is going to be forced to pay to keep the medical clinic in Sutton alive because the government opposite has failed when asked to do so.

Increasingly, municipal taxpayers are being asked to fund services which have historically been provided by the province of Ontario. The Harris government talks about tax cuts and the member opposite stands and talks about going to the Red Barn Theatre or going to see a Leafs' game when 8,000 of her constituents, patients who

have been without a doctor as a result of the pending closure of this clinic, have been without leadership on the part of that member opposite.

We hear too much in this House about downloading and its impact. Regrettably, in this northern part of York region in the greater Toronto area we've got this incredible shortage of doctors being unaddressed by the government opposite, forcing the closure of the Sutton medical clinic, which has provided extraordinary services to people, including native residents of that riding. And the member opposite stands only to talk about going to Leaf games and the Red Barn Theatre.

It's about time that this government opposite, instead of directing its money toward things such as the member spoke about, directs its money toward funding adequate medical services for people in the greater Toronto area.

MUSICAL MEMORIES OF MARKHAM

Mrs Tina R. Molinari (Thornhill): Many of the members present may be aware of Markham's many attractions and accomplishments, but how many think of music when Markham is mentioned? Last Wednesday, I had the pleasure of attending the unveiling of a new book, *Musical Memories of Markham*. This book is a wonderful way to pay homage to the vibrant community of musicians and artists who have made Markham a very special place to live. It is also a perfect illustration of the rich musical heritage to be found in my riding of Thornhill.

Musical Memories of Markham highlights the talents of a number of local musicians. Some of the people mentioned in the book have created music in Markham's churches, choirs, orchestras and bands. Others have performed not only in the community but under the spotlights of Toronto, New York, Hollywood and Europe. They are Canada's true ambassadors, using the universal language of music to bring our joy in the arts to people all over the world.

The musicians include people such as Adelmo Melecci, to whom I paid tribute in this House recently, Phil Nimmons, John Allan Cameron and many others. *Musical Memories of Markham* contains many fascinating stories. I would like to thank the Markham 2000 committee and author Andy Shaw for their dedicated and creative efforts. They have done an outstanding job of bringing to life the unique personalities and talents of Markham's musical scene, and I am proud to highlight their work in the Legislature today.

VISITORS

Mr Mario Sergio (York West): I am delighted today to introduce to you the mayor from the wonderful city of Montalegretto; it's called "happy mountain." It's a wonderful city in Sicily. We have the mayor and other delegates accompanying him as well. The mayor, Signor Andrea Iati, is in the west gallery; and he's accompanied

by Mr Dominic Campione, the president of the Ontario Confederation of Sicily; and the local president of the St Joseph of Montallegro Social Club. I thank you, and I welcome our delegates.

DECORUM IN CHAMBER

The Speaker (Hon Gary Carr): Earlier today, the member for Cambridge filed written notice of a point of privilege which I am now prepared to rule on, pursuant to standing order 21(d), based upon the member's written submission. I'm going to rule on it now for the member.

The issue the member raises relates to disorder that arose in the west members' gallery last night during debate on Bill 132. As a result of the disorder, the Acting Speaker directed that the west members' gallery be cleared and that strangers be excluded.

I want to thank the member for Cambridge for raising the issue and want to assure him that it is indeed a serious matter.

Decorum in the chamber generally, and instances of grave disorder especially, are always of great concern to the Speaker. This relates, of course, directly to one of the principal functions of the Speaker in the chamber, namely, to preserve order and decorum. I note that the matter was successfully dealt with in an expeditious and decisive way by the Chair last evening.

The circumstances surrounding last evening's occurrence, however, do not constitute a matter of privilege. They fall within the Speaker's jurisdiction specifically, both as it relates to preserving order in the House and in my responsibility for the security of the parliamentary precinct. This is therefore an administrative matter that I will address directly with the member for Cambridge.

I also want to note that the security committee, on which all three parties have representation, is also an appropriate venue for this matter to pursued, and I will ensure that the member is invited to bring his concerns forward in that forum.

In conclusion, I also say to the member that the issue of security in the members' gallery has been dealt with, I believe, at one of the meetings in August, and we will be dealing with that. In the member's case, the member for London-Fanshawe is the government representative on that.

I do want to thank the member for Cambridge for bringing the point of privilege to my attention and assure him that we will indeed be dealing with that matter.

VISITORS

The Speaker (Hon Gary Carr): Just before we go on to reports by committees, in the members' west gallery again, we have a distinguished former member, the member from London Centre in the 35th and 36th Parliaments, holding a number of cabinet positions, Marion Boyd. We are very pleased to have our honoured guest here today.

REPORTS BY COMMITTEES

STANDING COMMITTEE
ON GENERAL GOVERNMENT

Mr Steve Gilchrist (Scarborough East): I beg leave to present a report from the standing committee on general government and move its adoption:

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 112, An Act to amend the McMichael Canadian Art Collection Act / Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

MOTIONS

APPOINTMENT OF HOUSE OFFICERS

Hon Chris Stockwell (Minister of Labour): I move that, notwithstanding the order of the House dated October 25, 1999, Mike Brown, member for the electoral district of Algoma-Manitoulin, be appointed Deputy Speaker and Chair of the committee of the whole House; Tony Martin, member for the electoral district to Sault Ste Marie, be appointed First Deputy Chair of the committee of the whole House; and Bert Johnson, member for the electoral district of Perth-Middlesex, be appointed Second Deputy Chair of the committee of the whole House.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

1350

ORAL QUESTIONS

HOME CARE

Mrs Sandra Pupatello (Windsor West): My first question is for the Minister of Health. You will remember that last night we were at estimates committee and we asked you to describe how it is that in this day and age, with all of the home care required across Ontario, you could rationalize having several lines in your home care page of estimates show us that you are spending even less money today on home care than you spent last year. We asked you that last night at committee and you had your ministry staff try to explain away the numbers. Even they were unable to explain what is so painfully obvious, and that is that the needs of people requiring home care today in Ontario are not being met. Even though there was money budgeted for them, that money was not spent.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member knows, this government has demonstrated a very strong commitment to expanding the long-term-care community services throughout the province. In fact, we have been moving forward with our 1998 commitment to provide \$551 million in new funding to expand community services throughout the province. Just recently, in September, I announced \$92.5 million to enhance and expand community care in Ontario. Since the announcement was made in 1998, we have made remarkable progress.

As the member well knows, we in Ontario are spending more per capita than any other province and territory; we are currently spending about \$128 per capita.

Mrs Papatello: Let me read from a line: for home-making services it says the 1998-99 actual is \$427 million and change, and then, for this year, it is \$423 million. While you said just now that you're moving forward, in fact, the books are proving you're moving backwards.

May I ask you again how you could stand last night at committee to tell us that you're spending more money on home care? What are you saying out there? Is it that statement that's true or is it, in fact, the numbers that you submitted to our committee last night? Which of the statements is true: the numbers before us at committee, which your staff could not explain, or the speech that you give us that you're spending more in home care?

Hon Mrs Witmer: As the member knows, we are spending more in home care. As the member also knows, if the member would take a look at the funding that has been provided to each of the communities in the province of Ontario and if she takes a look at the CCAC budgets, each and every year we have been providing additional money to the CCACs. For example, in 1998-99, we were spending \$995 million; in 1999-2000, \$1 billion; and in 2000-01 we are projected to spend \$1.1 billion.

Mrs Papatello: Minister, there is a difference between what you budget and what you announce and what you are actually spending. There is a reason why people across Ontario, whether you come from Wawa or Kingston or Thornhill or Windsor or Chatham, get different levels of service in home care. The reason is that you are spending less money today than you spent last year on home care. These are the numbers for your budget, your estimate or your announcement. You are saying one thing and you are spending something else.

Last night your staff could not explain the differences. You called them to the table to explain the difference, because we asked you. You've now had at least 12 hours to do a review, to be prepared to come into the House today and explain why in 1998-99 you spent \$427 million, and last year, if these numbers you gave us are true numbers, you were spending less money. You've had time now to review. You asked your staff to explain and they could not. Now I'd like you to explain to all of Ontario how you could spend less money than you even budgeted for when there are needs in Ontario that are not being met in the area of home care.

Hon Mrs Witmer: We're very proud of the home care program that we have in Ontario. In fact, we're rather disappointed that the federal Liberal government had a plan to introduce home care across the Dominion of Canada, and as we go into another election, we not only don't have a home care program, we don't have a pharmacare program. We would very much like to see throughout Canada the same level of standard of care being provided from coast to coast, in every province and every territory.

Again, I would remind the member opposite that we have the most generous home care program, at \$128 per capita. The next-highest spender is Manitoba, and they are spending only \$97 per capita.

LIQUOR CONTROL

Mrs Sandra Papatello (Windsor West): My next question is for the Minister of Consumer and Commercial Relations. Minister, last week you had a press conference and you made a great deal of fanfare about getting tough on clubs and bars and all that illegal activity that happens at those licensed establishments. We asked you that day how you could go about saying you are getting tough on this kind of crime while at the same time you are disbanding the illegal alcohol task force that currently exists under the LCBO, which is the only provincial body that has a mandate to deal with illegal alcohol and wine, with smuggling of wine, which your own LCBO annual report tells us is losing the Ontario treasury half a billion dollars a year. Please stand and tell us today why you are disbanding the force and how you can be tough on crime while we're losing half a billion dollars a year to the provincial treasury.

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): At the press conference which the honourable member visited—she quite frequently visits my press conferences. I'm not sure why. Usually she comes with incorrect facts, and this was another example of that.

This unit is not being disbanded. I indicated at the press conference that that was not the case. She had factually incorrect information. What the LCBO has asked us to look at is a transfer of that unit, a transfer of that responsibility, either to the Ontario Provincial Police or to the Alcohol and Gaming Commission of Ontario. That conversation is occurring as we speak.

Mrs Papatello: Minister, the Alcohol and Gaming Commission only deals with licensed establishments, and you and I probably both know that most of the illegal activity occurs outside of licensed establishments.

Last night I decided to prove that it cannot be that easy to buy bootleg wine in this province—it just can't be. So off I went to a barbecued chicken place, just five minutes behind Queen's Park, and I bought some barbecued chicken. I spent more money on two legs of barbecued chicken than I spent on this bootleg wine for \$4 and—

Interjections.

The Speaker (Hon Gary Carr): Order.

Mrs Pupatello: I would beg the Speaker not to drink this sample, because it is in fact illegal wine.

The point is very clear: if I could go five minutes from Queen's Park and in a matter of minutes purchase this kind of illegal wine, when you say the Alcohol and Gaming Commission or someone—the truth is, there is no other mandate to take care of these kinds of sales right now, and we're losing half a billion from the treasury. We know that it's a wild, wild west out there. Not only do the bootleggers tell us but the small wineries are also telling us, because it's the small wineries in Ontario that are losing. They are losing sales and the Ontario treasury is losing revenue.

Minister, you want to be tough on crime. I am asking you now: will you either rescind the decision to disband that task force—and in fact I ask you not to disband it, but rather to enhance the task force to take care of—

The Speaker: Minister.

1400

Hon Mr Runciman: I guess the member doesn't want to listen to the answer. I said at the press conference that this unit is not being disbanded; it's a change of venue. We have not decided, indeed, whether we're going to remove it from the LCBO at this point in time. We're taking a look at a request from the LCBO to consider a transfer to the OPP or the AGCO. At the end of the day, that may not be the appropriate way to handle this. We have not made a final decision.

On a serious note, there is no question that smuggling of products like the one the member has tabled in the House today is a serious concern. We have been fighting against the smuggling of alcohol products very vigorously, under the LCBO and under this government. The Solicitor General, the Alcohol and Gaming Commission and the LCBO are fighting this problem and doing, I think, a very effective job, but clearly there is more to be done.

Mrs Pupatello: I hope in that answer you just agreed that you were going to do something about the issue, unlike five and a half years of the Tory government, all talk on getting tough on crime and it takes Dalton McGuinty Liberals to put your feet in the fire to do something about a serious issue that affects not just the health and safety of the people who drink illegal booze but also the small businesses that are losing revenue; you are helping to shut their doors.

I would like to speak to you about one other new policy under the LCBO.

Interjections.

The Speaker: Stop the clock. Order. The member for Windsor West may continue.

Mrs Pupatello: I would like to speak to the same minister about a new program under the LCBO called the supply chain management. Under this new policy, you have now instituted a quota, so that if small wineries are not able to sell a minimum of 1,300 bottles a year, you're pulling them off your shelves.

You just came back from Europe, and you were mad as hell. That's what the papers said, that's your quote. You said you were "mad as hell," and that's because you

felt that Europe is not taking our wine. I'm asking you to explain why, in your government, you are instituting a quota system that is effectively shutting the doors on small wineries by having them delisted from the wine list at the LCBO. I have a list of six stores participating in your program where a local small winery has—

The Speaker: Order. The member's time is up.

Hon Mr Runciman: That didn't sound like a supplementary to me. In any event, I think Ontario wineries are very appreciative of the support the Mike Harris government is giving them. They have not had a government stand up and fight for Ontario products, world-class products, like the Mike Harris government has.

With respect to this member talking about getting tough on crime, really, how much credibility does the Liberal Party of Ontario have when it comes to getting tough on crime? Absolutely zero. Why aren't they going after their federal cousins about Karla Homolka wearing an evening gown? Why aren't they going after—

Interjections.

The Speaker: Order. I've always wondered what it looked like to see the member doing that from the front. I used to see it from behind, but I now see the front and see what it's like.

EMERGENCY SERVICES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Health and it concerns the emergency room crisis that she has created. Yesterday afternoon, 18 of 22 hospitals in the greater Toronto area were turning away ambulances. That's 80% of hospitals. Last Monday, 17 of 22 hospitals were turning away ambulances. By 5 pm on Tuesday, the number had climbed to 20 of 22 hospitals that were turning away ambulances because their emergency rooms were overflowing.

You announced the expansion of the St Michael's emergency room today, but while you were at it you forgot to mention that you're closing the Wellesley hospital and the emergency room. Minister, will you reopen the Wellesley emergency room and will you stop your wrong-headed scheme of closing emergency rooms and hospitals in the greater Toronto area?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I'm very pleased the leader has raised the issue of the celebration that was held this morning at St Michael's Hospital, one of our inner hospitals that has an outstanding reputation for dealing with some very unique populations. I am very pleased to say that at St Michael's Hospital they have a new state-of-the-art facility, and I would encourage the leader of the third party to personally visit it.

Let me tell you that they are able now to accommodate 60,000 visits a year. This is 23,000 more visits than the old facility and the Wellesley combined. They have more space now than the two hospitals had formerly, plus, what I was so impressed about was that they have a 24-hour transition—

The Speaker (Hon Gary Carr): Order. I'm afraid the Minister of Health's time is up. Supplementary?

Mr Hampton: While the minister boasts, hospitals in the greater Toronto area are on critical care bypass, in terms of their emergency rooms, six days out of seven. That's nothing to boast about. Meanwhile, you're closing Wellesley, you're closing North York Branson and you're closing Women's College.

This is a document you should become familiar with. It is a document that was filed at the Joshua Fleuelling inquest by Dr Michael Schull, a researcher with the Institute for Clinical Evaluative Sciences. It shows that the trend in emergency room overcrowding skyrocketed after your so-called restructuring in 1997. It shows that severe overcrowding and patient gridlock in Toronto are now more severe than ever since your so-called restructuring. It shows the problem is no longer seasonal, and the Ontario Hospital Association says it's going to get worse.

Minister, you're putting lives at risk. Will you admit that your plan is wrong and will you change your plan before more lives are put at risk?

Hon Mrs Witmer: The only thing that was probably wrong is the fact that the government of which the third-party leader was a member did not undertake the restructuring that was necessary to accommodate the increased and growing and aging population that is using our health system, that they did not undertake to restructure our hospitals and make them into modern, state-of-the-art centres of excellence, that they did not undertake, as we have, the construction, expansion and renovation of more than 50 emergency rooms in Ontario.

Let me read for the leader a letter we've received from Toronto Emergency Medical Services, indicating that every patient transported by an ambulance within the city of Toronto is found a medically safe and appropriate destination. "In general the entire system works well and we continue to work with the ministry and hospitals to better respond—

The Speaker: Order. I'm afraid the Minister of Health's time is up. Final supplementary?

Ms Frances Lankin (Beaches-East York): Minister, yesterday, 18 out of 22 hospitals were turning away ambulances, and you're telling us it works well? Last week, 20 out of 22, the day before that, 17 out of 22. The charts from Dr Schull show very clearly that from 1991 to 1997 overcrowding was on a decline in Toronto emergency rooms, and then in 1997, after your hospital restructuring, the number shoots through the roof. We've got patients being shuttled from emergency room to emergency room. You are playing Russian roulette with the lives of Ontario patients.

Dr Schull's findings and his conclusions are contrary to everything you say. He says it is not seasonal; he says it is a new and distinct problem. Contrary to what you said, he says the problem is not due to increased patient demands on emergency health services.

Minister, this emergency room crisis needs emergency measures. Will you please, while you're waiting for all your long-term solutions to kick in, do something to help save lives now? Will you cancel the closure of the

Wellesley and promise not to close any other emergency rooms in the GTA?

Hon Mrs Witmer: I wish the member had been there this morning to hear not only the hospital administrator but also the chief nursing officer, the individual doctor who's responsible for the emergency services, those representing the Toronto ambulance sector and also the patients speak to the improved access and the fact that at St Michael's Hospital not only do we have the capacity of Wellesley and St Michael's combined, we actually have more capacity than ever before.

There was conversation this morning about the co-ordinated manner in which all the partners are working together, the breakdown of the silos between the ambulance sector and the institution, and the fact that the providers of health care are working collaboratively together. It is unfortunate—

The Speaker: Order. I'm afraid the Minister of Health's time is up. New question.

1410

WATER QUALITY

Mr Howard Hampton (Kenora-Rainy River): My question is to the Minister of the Environment. Your own officials are now saying that you and your decisions and your government's decisions have put people's lives at risk in terms of drinking water. Philip Bye said that in 1997 he and other officials in the Ministry of the Environment warned your government that 36 municipalities, including Walkerton, weren't adequately testing their water. He pointed out that because of provincial downloading by your government, municipalities like Walkerton were in a financial squeeze and were cutting corners in terms of water testing. Why did you and your government ignore the urgent warnings of officials like Philip Bye in 1997? Why did you continue to put lives at risk in the province?

Hon Dan Newman (Minister of the Environment): The member opposite should know that I can't comment on the specifics of the inquiry. But at any given time there may be waterworks that may fall out of compliance, and that's why in August of this year we launched Operation Clean Water, which focused province-wide efforts to improve water quality and the delivery of water in this province. We have our tough, clear drinking water standards that now have the force of law, and we also have tough penalties for non-compliance. In June we announced an inspection blitz of all municipal water treatment facilities. We've completed nearly three quarters of the more than 620 facilities in the province to date, so far, and we're on target to have the rest of them completed by the end of December.

The most common reasons for not being in compliance are failure to conform with minimum sampling requirements, failure to adequately maintain disinfection equipment, failure to conform with minimum treatment guidelines, and failure to meet training or certification requirements.

The Speaker (Hon Gary Carr): Supplementary?

Ms Marilyn Churley (Toronto-Danforth): Minister, listen closely to this question. It was you who closed the water testing labs. It was you and your government that hacked and slashed at the Ministry of the Environment. It was your government that downloaded half a billion dollars in new costs on to municipalities. Listen carefully: seven people died in Walkerton and 2,300 became sick. This was a preventable disaster. You were warned and you did nothing.

Minister, I'm going to ask you again: why did you think it was OK to put people's lives and health at risk? Why did you not listen to the obvious warnings?

Hon Mr Newman: I remind the member opposite that it was her government that began charging municipalities for the testing of water in this province. It was her government that first allowed municipalities to use private labs to have that testing done.

I say to this member, as I said to the member previous, I can't comment on the specifics of the inquiry. But we have taken strong action as a government. We've launched Operation Clean Water. We have a new drinking water protection regulation in place, for the first time in this province having the full force of law with respect to the standards in this province. We have annual inspections underway of the more than 620 municipal waterworks in the province. We have that ongoing. We have a consultation paper as well, dealing with smaller waterworks. We've taken strong action on the protection of drinking water in our province.

The Speaker: New question; the member for St Catharines.

Mr James J. Bradley (St Catharines): I have a question for the Minister of the Environment. I hope the minister is monitoring very carefully the testimony coming out of Walkerton at the present time, because it's very condemning of this government. It has become very clear from that testimony that your government ignored warnings even from your own staff that tougher rules were needed for drinking water directly as a result of your decision in 1996 to get out of the water testing business. We didn't get those rules until seven people died from drinking water in Walkerton.

Minister, why did you ignore the warning of the Ministry of the Environment district supervisor for the Owen Sound office, Phil Bye, who in July 1997 wrote to top staff about the need for regulations that would allow a crackdown on municipalities that were repeatedly and perhaps deliberately violating water testing guidelines? "The current situation and lack of mandatory abatement tools has placed us in a difficult and embarrassing situation," he wrote. Why did your government ignore those warnings from Phil Bye, warnings that, if heeded, would very likely have avoided seven deaths and hundreds of sicknesses in the town of Walkerton?

Hon Mr Newman: The member from St Catharines would know that I can't comment on the specifics of something that is before the inquiry. As a former Minister of the Environment, he should know that.

At any given time, there may be waterworks that fall out of compliance. That's why we have inspections in place. That's why we have taken action to ensure the immediate safety of the province's water supply. We've produced a progress report outlining what we've done to date.

I just want to take a moment to highlight some of the facts. We launched Operation Clean Water in August of this year, which focused province-wide efforts to improve water quality and the delivery of water in this province. We also have a rigorous inspection program underway right now of all municipal water supplies in our province. By the end of this year we'll see that all 620 have been inspected. We have new consolidated certificates of approval for all waterworks, and on August 8 of this year I launched the large waterworks—

The Speaker: The minister's time is up. Supplementary.

Mr Bradley: All this, of course, after the seven people died, not before they died.

You will recall that your colleague Bill Murdoch, the MPP for Walkerton, in a radio interview this summer suggested, much to the dismay of Ministry of the Environment staff, that in implementing your huge staff cuts—the one third of the people you fired out the door—the wrong people were fired. You can imagine how that affected the morale of the members of the Ministry of the Environment.

One of the good people, Phil Bye, noted that when Ministry of the Environment labs did the water testing—the labs the Harris government closed down—problems with water were relayed to the medical officer of health. That was before you went to the private labs. Then you moved to the private labs and left a void.

Minister, will you now admit that your government's ill-conceived decision to close the Ministry of the Environment labs and leave municipalities in the lurch, on their own, to fend for themselves, with little warning, little preparation and little direction, placed the drinking water supply of dozens of municipalities, including Walkerton, in jeopardy?

Hon Mr Newman: We have clear notification protocols in place now that have the full force of law in our province. I want to bring that to the member's attention. He would know that if a lab receives an adverse water sample, by law today they must notify the Ministry of the Environment, the medical officer of health and the owner of the waterworks. But we go beyond that. The owner of the waterworks must also notify the local medical officer of health, as well as the Ministry of the Environment as a secondary call.

I say to the member opposite, we have a review of the Ministry of the Environment underway at this time, headed up by Valerie Gibbons, who is a well-known and well-regarded former civil servant of the province of Ontario, reviewing all aspects of the Ministry of the Environment. I expect her to be coming forward with recommendations on all aspects of the Ministry of the Environment.

MUNICIPAL GOVERNMENT

Mr John O'Toole (Durham): My question is to the Minister of Municipal Affairs and Housing. In my riding of Durham and throughout Ontario, lawn signs are cropping up everywhere. In fact, there are some new signs, and I'm not sure what they're about. Candidates are being prepared for the municipal election in November, as you know. In my riding of Durham, my constituents, like others in Ontario, want to ensure that councils are responsible and accountable and that they are providing quality service without raising taxes. Essentially, Minister, our communities want local governments that are accountable to them. Minister, can you tell me how Ontarians will be able to review the performance measures of their local governments?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I thank the honourable member from Durham for the question. Indeed it is important that governments at all levels are accountable to the people who elected them to serve. Municipal governments must provide quality and valuable services to their constituencies and they must be accountable for the decisions they make.

Ontario municipalities have more authority than they've had in the past. With increased authority comes an increased need for accountability. We're aiming for better municipal services and clearer accountability.

On October 3 I was pleased to announce the introduction of the municipal performance measures program. Starting with year 2000 data, municipalities will measure their performance in nine high-cost service areas, including garbage collection, water and sewer, police, fire, roads, social services and land use planning. They'll submit their data to the province and inform taxpayers on how effectively and efficiently they're delivering these services. We expect the first report this summer.

Mr O'Toole: Thank you very much for that very thorough response, Minister. I know the students from Monsignor John Pereyema who are sitting in the west gallery today want to know that they're being measured. I don't think elected people should avoid that scrutiny.

I would say thank you as well for the public meeting you attended on October 17 in the village of Newcastle. I know the residents of Durham will be pleased that our government has introduced these measures you just described. Some of the representatives of Durham regional council meeting most recently—if I could describe an article in the paper that was very discouraging, Mayor Parish said, for instance, "Stuff it." I think the CEO said something even worse.

I believe they should submit these reports on accountability to the province. We want to ensure that quality, value and accountability are the foundation on which all governments conduct business.

Minister, could you tell me, my constituents and the House today if municipalities will have to report the collection-of-information costs to you?

Hon Mr Clement: In fact, the cost is almost nothing. The municipalities and local boards already collect most of these data. What we're trying to do, with 34 performance measures contained in the program, is further the development of these. A lot of them have been developed and tested already among a group of 55 municipalities that I believe represent about 80% of the provincial population to date. It builds on benchmarking studies already performed, already started by municipalities, in conjunction with the ministry of the Ontario government.

This is the first time, though, throughout all of North America, that the performance measure program has been jurisdiction-wide, Ontario-wide, province-wide, state-wide. We are the first in North America to have a province-wide report card. It allows municipalities to be accountable to their citizenry. We're proud of it. We know our municipalities can live up to this standard, and we expect them to do so.

McMICHAEL CANADIAN ART
COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): My question is for the Minister of Citizenship, Culture and Recreation. My question for the minister is regarding Bill 112, the McMichael Canadian Art Collection Amendment Act.

During committee hearings, we heard experts business organizations, artists, gallery owners, past deputy ministers and individuals who overwhelmingly opposed this bill.

On Tuesday evening, I received a draft audit prepared for the McMichael gallery for the fiscal year of 1980. It was presented to the general government committee. This report has evidence of unethical practices and possibly even fraudulent acts of the gallery while under the direct management of Robert McMichael.

You have said repeatedly that the government's purpose in putting forth this bill is to correct financial mismanagement at the gallery, yet this bill will restore undue control to the same people who, according to this document, unethically used their position of trust for self-interest.

In fact, this bill removes and alters the best accepted practices for management at art galleries and museums. The legal implications of your bill, Minister, have the potential to cost taxpayers millions and millions of dollars.

In light of the audit report, in light of the professional testimony, will you now withdraw the bill?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): If we listened to the member opposite, we would think that no one was in support of this bill. Let me say very clearly that a number of people came forward who spoke in favour, including Pierre Berton, Ken Danby, one the best Ontario artists, George McLean. We had a number of people come forward who said that this was the right thing to do.

The issue happened in 1980, and we still have controversy about it. It's time for government to do something about this. What happened was that governments in the past promised that we would make sure we listened to the McMichaels when it came to talking about art and what art should be held there. This bill, Bill 112, gives no ability for the McMichaels to spend money, to make decisions on what is purchased or sold; it just allows them to decide what the art should be in the gallery.

We've done a lot to be able to solve the financial mismanagement problem that happened in 1980 and now—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

Ms Di Cocco: Minister, the role of government is to protect the interests of the public, and the McMichaels were asked to resign by cabinet under Davis in 1980. This bill will in fact directly jeopardize public interest.

The report is strong evidence that Robert McMichael's management style, particularly with acquisitions and selling of art work, was unethical at best and possibly downright fraudulent at worst.

Interjections.

The Speaker: Stop the clock. Member take your seat. Order.

Ms Di Cocco: This bill has nothing to do with fiscal accountability. As a matter of fact, I put forth an amendment directly dealing with fiscal issues, and Mrs Elliott argued that the financial aspects did not need to be addressed directly in the legislation.

Minister, you're being warned. The ball is in your court. You have been provided with substantial evidence that this bill is wrong. Don't put the fox back in the henhouse. If you proceed with this bill, it is your stamp of approval to corruption and unethical practices in conducting the affairs of this province. Protect the interests of the people of Ontario and withdraw this bill.

Hon Mrs Johns: I'm always completely amazed in this House when someone goes after a person outside this House and basically does character assassination like we're hearing here. It's sad. I like to keep myself above that level, so let me just say that this bill is in the public interest.

Right now the McMichael gallery has lost money; they have a lesser membership than they did 10 years ago; they're short \$1.6 million in their operating budget. It's in the public interest to ensure that this gallery stays so that our children and our grandchildren can see this.

I think we've done the right thing in making sure that we put in strong fiscal management. We've given it a strong board and we're going to continue to support—

The Speaker: Sorry, time is up. New question.

WORKPLACE SAFETY AND INSURANCE BOARD

Mrs Brenda Elliott (Guelph-Wellington): My question today is for the Minister of Labour. When we were elected in 1995, one of our goals was to establish a climate in Ontario conducive for businesses. We've cut

taxes, we've reduced the deficit, and over 750,000 jobs have been created.

In my riding, businesses have been burdened for years with excessive federal and provincial payroll taxes and we know that cutting taxes of those sorts helps create jobs.

We promised in 1995 that we would cut workers' compensation premiums by 5%. Since that time a number of changes have occurred in the Workplace Safety and Insurance Board but one thing has remained the same: cutting payroll taxes is a way to create jobs.

Minister, have you kept our promise? What is happening to Workplace Safety and Insurance Board premiums.

Hon Chris Stockwell (Minister of Labour): I will say that since this government came to power, one of the true success stories has been the Workplace Safety and Insurance Board. I think even the most hardhearted and opposed to the operation of the Workplace Safety and Insurance Board would admit that the management style and the changes of direction they have made at that facility have been nothing short of astounding. In the Common Sense Revolution—

Mr Dominic Agostino (Hamilton East): What's the salary of the chair?

Hon Mr Stockwell: The salary of the chair is a lot of money, but if you hear this out, you might agree with it. We had promised to cut premiums by 5% when we came to office, and 5% seemed like a lot of money and the naysayers across the floor were saying, "You can't do it. It's not possible. It won't happen." Let me tell you we didn't cut them by 5%; in fact they were cut by 29%, not 5%.

Now, 29% means that those are payroll savings for the employer to hire more people, to create more jobs and to do the good things in Ontario that they're looking for. I understand the members across are still unhappy and still opposed, but this is a success story.

Mrs Elliott: Another number that was in our minds—
Interjection.

The Speaker (Hon Gary Carr): Stop the clock. The member for Hamilton East, come to order, please.

The member for Guelph-Wellington.

1430

Mrs Elliott: From 5% to 29% is remarkable and I compliment the minister. There was another number in our minds when we were elected in 1995, and that number was over \$11 billion. That was the deficit we were facing, left over by the mismanagement of the Liberal and NDP governments, when we were elected. But it was also the number that was the unfunded liability at the Workers' Compensation Board, \$11 billion. At that time the employers' council of Ontario demanded that we implement a plan to eliminate that unfunded liability. The year they suggested was 2014. Minister, how are we progressing on that? We've ended the deficit here in Ontario. We have turned our economy around overall. What's happening at the WSIB?

Hon Mr Stockwell: It doesn't stop there, the success story at the Workplace Safety and Insurance Board. I

know that in constituency offices around this province when the NDP were in power, seven out of 10 calls at your offices were complaints about the Workplace Safety and Insurance Board. It was a disgrace. It was a black hole. It was the abyss. It was a problem erupting day in and day out, not any clue how to handle it.

When the NDP were in power, the unfunded liability went up to \$11 billion. The constant refrain and the barracking from the member for Windsor at the time was the same, "Oh, don't worry, the employers owe the money," as if some magic fairy might come out with a wand and tap somebody on the head and—

Interjection.

The Speaker: Minister take his seat. Member for Windsor West, come to order, please.

Minister of Labour, sorry for the interruption.

Mrs Sandra Pupatello (Windsor West): Are you the fairy?

Hon Mr Stockwell: No, I am not, because we didn't use a magic wand; we used common sense. And the common sense was, we took the unfunded liability from \$11 billion down to \$6 billion. And what did that do? That helped create jobs for the private sector. It was a success—

Interjection.

The Speaker: Minister take his seat. The member for Hamilton West, come to order.

Ten seconds to wrap up, Minister.

Hon Mr Stockwell: Thank you. It's a success story. I don't know what you're barracking about. Everybody knows it's a success story. If you'd just admit it, it might be better off because we're running a good show over there and it's an operation you should be proud of.

TRUCKING INDUSTRY

Mr Gilles Bisson (Timmins-James Bay): My question is to the Minister of Economic Development and Trade. Last week we were led to believe that a compromise was reached between the independent truckers and shippers. This deal, which was accepted by both parties, was then recommended by representatives of the independent truckers to their members in good faith. We now learn that shippers, who agreed to this deal of yours, are refusing to insert fuel escalation clauses, which they agreed to, into their existing contracts.

Get this, Minister: They're refusing to insert your so-called deal into an agreement because there is no legislation to force them to do so. It's very clear, shippers are not prepared to insert anything into their contracts unless forced to do so. Are you now prepared to legislate or regulate a fuel escalation clause as you said you would at the outset of this situation?

Hon Al Palladini (Minister of Economic Development and Trade): As I've been saying all along, the best solution is within the industry and making sure that the industry itself comes up with those solutions to make it viable. Legislation is not the answer. It's not the best answer we can presently bring forward.

I've also said in the Legislature that even if the province of Ontario were to legislate or regulate, it couldn't help all the truckers in Ontario. We would have to get the federal minister, the federal government, to regulate because they are the ones that represent, basically, 85% of the industry. Without them regulating it, whatever we would do here in Ontario just wouldn't work.

Mr Bisson: Minister, for Pete's sake, you're the guy who entered into this debate at the very beginning, saying, "Listen, I'm squarely on the side of the independent truckers." That's what you said. You said, "I'm going to fix it." You didn't say the federal government, you said, "Me, Al Palladini." You're the guy who was going to fix it. Your method of fixing this was to say that if the shippers didn't agree to a deal, you were going to legislate or regulate a solution.

I've got a letter here from the Greater Ottawa Truckers Association, which writes in a letter to you dated today that every time they approach a shipper to negotiate a deal, they say, "Hey, we don't have any legislation forcing us to do so, so why would we?" Minister, I'm only asking you to keep your word to truckers. Will you now accept to legislate or regulate a solution, as you said you would in the beginning?

Hon Mr Palladini: I have kept my word to the truckers. I have helped facilitate the required meetings. I have invited the federal government to come to the table, which they have, by the way. I have established a working committee. I have established an independent chair. We also established some common ground. We also knew from the beginning that this was going to be a very sensitive issue, an issue that basically says, "Let's calm down. Let's see how the industry itself can—"

Interjection.

The Speaker (Hon Gary Carr): Order. The member for Hamilton West, this is your last warning. Yell or scream out like that again and we'll name you and throw you out.

Minister.

Hon Mr Palladini: The member doesn't have a clue what he's talking about, for God's sake. All you have to do is take a look at the industry and you'll know we're doing the right thing. At least we had the courage to put something on the table, to bring people together so something can be discussed and accomplished. And I am going to keep my word.

LANDFILL

Mr Dominic Agostino (Hamilton East): My question is to the Minister of the Environment. What I am going to ask about is a very serious issue affecting residents in my riding of Hamilton East. There are two closed landfill sites, one on Rennie Street and one on Brampton Street in the riding. These two sites have had a long history of neglect and problems.

Last week I met with a number of residents because so many of them expressed concerns about serious health issues for themselves and their children. I'll give you an

example. On one street there are nine homes. Out of those nine homes, seven individuals are suffering from cancer. On the next street over, two individuals have lost a loved one in the last six months due to cancer. Shirley Bullock babysat her grandchildren for five years. Her daughter lives outside the area and used to bring them down. She feels guilty today because all of her grandchildren she babysits have asthma. She believe it's a result of exposure to the fallout from the landfill site. These are just a few examples of the horror stories that are starting to come to light in that neighbourhood.

Minister, I want to ask you, very sincerely and very clearly—it is a serious concern, potentially a dangerous concern to the residents of that area—will you today commit to appointing an expert panel to look into this very dangerous and potentially life-threatening situation for some of my residents?

Hon Dan Newman (Minister of the Environment): I appreciate the question from the member opposite. He talked about asthma, and asthma is aggravated by air pollution. That's why we are moving and will continue to move very aggressively with the province's Drive Clean program, the smog alert program and the anti-smog action plan program. In fact, in previous estimates of the impact of smog, exacerbation of asthma—he talked about asthma—

Interjection.

The Speaker (Hon Gary Carr): The member take his seat. Stop the clock. The member for Toronto Centre-Rosedale, this is his last warning. You can't yell out like that.

Minister.

Hon Mr Newman: The member opposite was talking about the effect of asthma on children. I am simply pointing out to him the actions the government has taken. In our previous estimates about the impact of smog, the exacerbation of asthma, of manifested asthma symptom days in the asthmatic population—we've included both adults and children in that program.

Mr Agostino: I'm not sure what world this minister is living in. I tried very hard in the lead question to be non-partisan and to try to get a clear point to you. Minister, you give me some BS answer about asthma. Let's understand clearly: people in that area are dying, possibly as a result of exposure to the landfill sites, and you give me some answer about asthma.

In March 2000 your government, under Minister Clement, appointed an expert panel to look into similar concerns at the Taro landfill site in Stoney Creek. I think you owe the people of Hamilton East at least that same consideration. I don't know if that's exactly the problem; they don't know. But they're afraid for themselves, their spouses and their children.

1440

All I'm asking you today is to not treat them as second-class citizens, to give them the same treatment you gave the people of Stoney Creek, which they deserve. All I'm asking you, Minister, is not to give me some rhetoric about asthma and the cause of it but to

appoint an expert panel to look into the situation in the two landfill sites in the neighbourhood and to see if there's a link between the dump and what appears to be an extraordinarily high incidence of cancer deaths, asthma and respiratory diseases.

I don't think it's unreasonable. I don't think it's unfair. Will you do that today?

Hon Mr Newman: I was answering the questions the member asked. But if this is a serious concern to him, if he has information he wants to bring forward, I'd be pleased to discuss it with him.

HUNTING AND FISHING

Mr R. Gary Stewart (Peterborough): I'll start just as soon as the Minister of Natural Resources—

Interjections.

The Speaker (Hon Gary Carr): Would the member take his seat. Stop the clock, please. The member for Hamilton East, his last warning; last warning for the member for Hamilton East. If he keeps it up, he'll be removed. The member for Peterborough has the floor.

Mr Stewart: This question is for the Minister of Natural Resources. Hunting and fishing are traditional outdoor activities in many parts of Ontario. The fees paid by outdoor enthusiasts help to make it possible for us to preserve wildlife and their habitat. We support the proud and established Ontario tradition of ethical and safe hunting and fishing.

In the Blueprint, our government promised we would legislate and recognize heritage hunting and fishing practices in Ontario and acknowledge the role anglers and hunters have played in environmental conservation. We said we would legislate heritage hunting and fishing in Ontario with a hunting and fishing act.

I understand that some work has been done on this legislation. Could you please provide the members of this House with the current status of any proposed legislation?

Hon John Snobelen (Minister of Natural Resources): I thank the member for the question. Indeed, we have been working for some time since our Blueprint commitment to make sure this legislation comes forward. I can tell the members that we have obviously introduced a special purpose account. That means the fees for hunting and fishing and any fines related to that go directly back into the resource, a major change during our government.

Also, I can tell the member that hunters and anglers around the province regard themselves quite proudly as the first conservationists of Ontario. Last week I attended the inaugural dinner for an organization called Fishing Forever, a group of people who want to help put money back into the resource and back into habitat and improve it for the future.

It is this basic record of conservation, a concern for fair chase, a record of hunting for consumption, that will be part of the first principles that will be in this legislation.

Mr Stewart: I'm pleased it is progressing. When can we expect this legislation to be presented? Will it adversely affect conservation and safety?

Hon Mr Snobelen: The community in Ontario is very proud of its safety record and the safety regulations regarding hunting in this province—and I can tell the member that they'd be, if anything, strengthened by legislation—and obviously very proud of the conservation record. That too will be a key component of legislation.

We are developing a set of draft principles. We will circulate those later on this fall and during this winter, talk with people about what needs to be in the legislation and present it hopefully next spring.

EMERGENCY SERVICES

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. You made an announcement earlier today about the opening of the new emergency department at St Michael's Hospital. In your press release, which I have in front of me, you say that the new emergency department will accommodate 60,000 visits a year, which you say is 23,000 visits more than the old facility at St Michael's and the Wellesley hospitals combined. That means, according to your own figures, there would have been only 37,000 emergency room visits between the two sites before you closed the Wellesley emergency last month.

Minister, we've confirmed that there were in fact 33,000 emergency room visits to the Wellesley site alone last year. We've confirmed that in 1998-99 there were 64,000 emergency room visits to the two combined sites of Wellesley and St Michael's. That, Minister, means that according to your figures there were 4,000 more emergency room visits to Wellesley and St Michael's before you closed Wellesley and opened your supposed new and expanded facility.

Minister, I have to ask you, have you in fact not increased the emergency room capacity as you claimed in your press release today? Have you actually reduced the emergency room capacity, as your figures would suggest, or are your figures simply wrong again?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I'm very pleased to say that the new emergency room facilities at St Michael's Hospital do and will accommodate 60,000 visits a year. This means there is going to be a much more efficient triage system; it means that there are opportunities for those who are less in need of service to receive service more quickly; there's going to be a new helipad there; and there's going to be a 24-hour transition centre for homeless patients—the very first of its kind in North America.

The Speaker (Hon Gary Carr): Supplementary?

Mr George Smitherman (Toronto Centre-Rosedale): Madam Minister, by failing to deny what the member from Thunder Bay has said, you have acknowledged that the numbers that you said this morning were in fact wrong. They were misleading to the tune of some 27,000 visits.

The Speaker: Stop the clock. You can't say "misleading."

Mr Smitherman: Sorry, Speaker, I withdraw the word. Those numbers were wrong, Minister, and you have acknowledged this. Your approach is wrong and your numbers are wrong. Two weeks ago you said it was a mystery why there was an emergency room crisis in Toronto. Well, it's no mystery to my constituents. You have dramatically reduced services in the greater Toronto area, and particularly in the downtown.

Madam Minister, your math is wrong. You have bad math. How can you guarantee that your bad math is not going to result in a really bad health outcome for the constituents I represent?

Hon Mrs Witmer: As the member perhaps doesn't know, it's obvious that maybe he doesn't know, the types of patients who are coming to the emergency room today are in much more need. They have more complex problems than ever before.

Certainly, as I was at the hospital this morning, there was every indication from the staff, whether it be the physicians or the nurses or the administration, that they were pleased—in fact they were thrilled—about the enhanced capacity to treat more patients, that there was accommodation there for more patients, and also that the facilities had been designed to move people through the emergency rooms more efficiently and effectively.

ENVIRONMENTAL ISSUES

Mr Wayne Wettlaufer (Kitchener Centre): My question is for the Minister of the Environment. On Monday of this week the Leader of the Opposition accused you and the government of stealing \$240 million through an environmental levy at the LCBO under the pretext of dedicating these funds for environmental purposes.

First of all the people in my riding are a little upset about the terminology he used, but the people of my riding don't mind paying fair taxes. They don't mind paying the environmental levy, if that's where it's going to go. They don't mind paying taxes at all, provided that they're fair; most of the taxes they've been charged over the years have been unfair. But I wonder if you could clarify so that I can explain it to the members of my riding?

Hon Dan Newman (Minister of the Environment): I thank the member for Kitchener Centre for the question. I'm pleased to clarify the government's position with respect to the environmental levy. I would first like to remind all members that the environmental levy is not a new issue; far from it. In fact, the Liberals brought in the environmental levy in 1989, at five cents a container, and the NDP doubled that to 10 cents per container in 1992. The money today, as it did then, from the environmental levy, or the fee charged for each non-refillable container sold, goes into the consolidated revenue fund and it is not earmarked for any specific program.

1450

Mr Wettlaufer: My supplementary is going to be a little bit different. It's about the Waste Diversion Organ-

ization. There has been considerably publicity recently about this waste diversion program. As you're aware, Minister, Kitchener is the city which inaugurated the blue box program. I wonder if you could explain to us a little bit about the waste diversion program: who established it, exactly what it is.

Hon Mr Newman: It's a pleasure to respond to the member for Kitchener Centre. On November 3, 1999, the Mike Harris government announced the establishment of the Waste Diversion Organization. The Waste Diversion Organization is a partnership of government, municipalities and industry, and with that partnership there's a commitment of \$14.5 million from its members which is used to help fund municipal blue box and other waste diversion programs, which include things such as composting and special household waste depots. I'm pleased to report that the—

The Speaker (Hon Gary Carr): The minister's time is up. New question.

Interjection.

The Speaker: Thank you, I say to the Minister of the Environment. The question went over the minute.

Mr Jerry J. Ouellette (Oshawa): It didn't.

The Speaker: It did, I say to the member for Oshawa, and I'll look after the time.

NORTHERN HEALTH TRAVEL GRANT

Ms Frances Lankin (Beaches-East York): My question is for the Minister of Health. We have raised time and time again in this House the problem facing northern cancer patients. We have asked you to understand the sense of discrimination that northerners feel.

I want to put it to you in the simplest terms. A patient who is re-referred from Toronto to the Sudbury cancer centre drives four hours to get that cancer treatment and is paid for all their expenses, as you know. A patient who drives from Manitowadge to the closest cancer centre to them, which is Thunder Bay, drives roughly the same amount of time and receives compensation of only 30.4 cents per kilometre one way. Surely you can understand, when those patients have an opportunity to talk to patients from southern Ontario who are referred to Thunder Bay, how they feel that discrimination, how they understand that they are being placed in a situation of personal bankruptcy in order to get necessary treatment.

Will you please tell us that tonight the Premier, when he meets with those people in Sudbury, will tell them that your government understands northerners should not be faced with personal bankruptcy in order to get cancer treatment, needed life-saving treatment? Will you tell them you've changed your mind and you will end this discrimination?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): It would be very helpful if people would represent accurately the fact that if you were to go from Toronto to Thunder Bay or Sudbury and you needed to be re-referred for radiation treatment for prostate or breast cancer, you would have your expenses fully

reimbursed. In the same way, if you are re-referred from Thunder Bay or Sudbury to a hospital, say, in Hamilton, you would have your expenses fully reimbursed. There is no discrimination in the re-referral program. Anyone who is re-referred for radiation treatment in the case of prostate or breast cancer is treated in exactly the same way.

Mrs Lyn McLeod (Thunder Bay-Atikokan): Mr Speaker, on a point of order: I just wish to advise you that I have filed notice with the Clerk's table expressing my dissatisfaction with the answer from the Minister of Health and I'm calling for a late show.

VISITORS

Mr John O'Toole (Durham): Mr Speaker, on a point of order: With regret I am unable to recognize the students from Bowmanville High School, who are in the west lobby today, and the grade 9 class teacher, Doug Weldon. I'm disappointed.

PETITIONS

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London): I have a petition to the Ontario Legislature regarding the Ontarians with Disabilities Act.

"Whereas Mike Harris promised an Ontarians with Disabilities Act during the 1995 election and renewed that commitment in 1997 but has yet to make good on that promise; and

"Whereas the Harris government has not committed to holding open consultations with the various stakeholders and individuals on the ODA; and

"Whereas Helen Johns, the minister responsible for persons with disabilities, will not commit to the 11 principles outlined by the ODA committee; and

"Whereas the vast majority of Ontario citizens believe there should be an ODA to remove the barriers facing the 1.5 million persons with disabilities;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To pass a strong and effective Ontarians with Disabilities Act that would remove the barriers facing the 1.5 million persons with disabilities in this province."

This is signed by a number of individuals from my riding of Elgin-Middlesex-London and St Thomas, and I gladly affix my signature to it.

DEVELOPMENTALLY DISABLED

Mrs Julia Munro (York North): "To the Legislature of Ontario:

"Whereas Ontarians with a developmental disability are in growing danger of inadequate support because

compensation to their worker is, based on a recent survey, on average, 20% to 25% less than compensation for others doing the same work in provincial institutions or similar work in other settings;

"Whereas there are hundreds of senior parents in Ontario who have saved the Ontario government millions of dollars by keeping their child with a developmental disability at home, and who are still caring for their adult child;

"Whereas there is no plan of support for most of these adults with a developmental disability to go when the parents are no longer able to provide care;

"Whereas these parents live with constant anxiety and despair;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To significantly increase compensation for workers in the developmental services sector so it is comparable to the compensation of government-funded workers in identical or similar occupations; and

"To provide the resources necessary to give appropriate support to Ontarians with a developmental disability who have no support when their parents are no longer able to care for them."

I affix my signature.

GOVERNMENT ADVERTISING

Mr James J. Bradley (St Catharines): This petition is to the Legislative Assembly of Ontario.

"Whereas essential health care, educational and waste diversion programs have been deprived of government funding because the Conservative government of Mike Harris has diverted these funds to self-serving propaganda in the form of glossy pamphlets delivered to homes, newspaper advertisements and radio and TV commercials;

"Whereas the Harris government advertising blitz is a blatant abuse of public office and a shameful waste of taxpayers' dollars;

"Whereas the Harris Conservatives ran on a platform of eliminating what it referred to as 'government waste and unnecessary expenditures,' while it squanders well over \$188 million on clearly partisan advertising;

"We, the undersigned, call upon the Legislative Assembly of Ontario to implore the Conservative government of Mike Harris to immediately end their abuse of public office and terminate any further expenditure on political advertising."

I affix my signature. I'm in complete agreement with this petition.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): "To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment

outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I have read this petition many times. I have another 52 signatures from concerned constituents across northwestern Ontario who would like the government to address this pressing issue.

1500

PRESCRIPTION DRUGS

Mr Tony Ruprecht (Davenport): I keep getting petitions against the \$2 user fee this government has imposed on seniors in our province, and it reads as follows:

"Whereas the Ministry of Health has started to charge seniors a \$2 user fee for each prescription filled since July 15, 1996; and

"Whereas seniors on a fixed income do not significantly benefit from the income tax savings created by this user fee copayment or from other non-health user fees; and

"Whereas the perceived savings to health care from the \$2 copayment fee will not compensate for the suffering and misery caused by this user fee, or the painstaking task involved to fill out the application forms; and

"Whereas the...Ontario Minister of Health...promised in a July 5, 1993, letter to Ontario pharmacists that his party would not endorse legislation that would punish patients to the detriment of health care in Ontario;

"We, the undersigned Ontario residents, strongly urge the government to repeal this user fee plan because the tax-saving user fee concept is not fair, sensitive or accessible to low-income or fixed-income seniors; and lest we forget, our province's seniors have paid their dues by collectively contributing to the social, economic, moral and political fabric of Canada."

Since I agree with this petition, I'm signing my name to it.

Remarks in Italian.

It's roughly the same petition. Since I agree with this, I will also sign my name to this petition.

NORTHERN HEALTH TRAVEL GRANT

M^{me} Claudette Boyer (Ottawa-Vanier) : J'aurais une pétition à apporter à cette Chambre législative.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

Croyant en cette pétition, je l'endosse.

CORRECTIONAL FACILITIES

Mrs Lyn McLeod (Thunder Bay-Atikokan) : I have a petition to the Legislative Assembly of Ontario:

"Whereas the privatization of Ontario's correctional services is wrong and only publicly run and accountable correctional services can be beneficial to taxpayers, employees and those incarcerated,

"Therefore we, the undersigned, demand that the government of Ontario stop privatization of any correctional service now."

I'm in full agreement with the sentiments of my constituents, and I've affixed my signature to the petition.

PRESCRIPTION DRUGS

Mr Tony Ruprecht (Davenport) : I've already read the petition against the \$2 user fee that this government is charging to our seniors, but I have another one here which is in a language other than English, and I will only be reading the first sentence.

ILLEGAL TIMBER CUTTING

Mrs Lyn McLeod (Thunder Bay-Atikokan) : I have another petition to the Legislative Assembly of Ontario.

"Whereas timber cutters are trespassing on private and crown land, cutting, removing and selling trees, leaving a financial, environmental, aesthetic and emotional devastation in their wake; and

"Whereas the OPP have no authority to stop a cutter from cutting in the event of a boundary dispute but may only inform the cutter that a complaint has been lodged; and

"Whereas the mills accept all timber from their contractors whether it is stolen or not; and

"Whereas the practice of the crown attorney's office to relegate these obvious theft issues to civil court places an unreasonable and prohibitive financial burden on the landowner-victim; and

"Whereas the offending cutters are protected by their numbered companies, lease their equipment and declare bankruptcy rather than pay fines and restitution, and immediately register a new numbered company, the landowner-victim must then pay:

"(1) All court costs and legal fees incurred by the offender as well as their own legal fees;

"(2) The cost of the survey;

"(3) The cost of hiring and posting bond for a bailiff, an appraiser, a salesman and bond for each piece of property and for equipment seized from the convicted cutter at the rate of at least \$2,000 for each of the above-listed;

"(4) The cost of cleanup and reforestation; and

"Whereas traditionally settlements to landowners-victims have amounted to the price of stumpage fees for the stripped area, while the cutter profits from the full price of the timber from the mill; and

"Whereas, because the offending cutter must work quickly to avoid detection, he/she leaves the land devastated, with little or no thought to environmental areas of concern, eg, wetlands, reforestation;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness to landowners-victims in the overwhelming support of illegal cutting of private and crown lands.

"We advocate:

"(1) That the cases be tried as grand theft in a criminal court;

"(2) That in the event of a boundary dispute the party who is to benefit financially (ie, the cutter) be responsible for the cost of a survey by a registered surveyor and not a forester;

"(3) Final judgments should not only include fines, all costs incurred for pursuit of justice and stumpage fees, but the full price of the timber, the cost of cleaning up the clear-cut area and the cost of reforestation and main-

tenance of the cut area, thus making theft of timber from private and crown lands potentially non-profitable;

"(4) Contracts of convicted cutters should be subject to suspension or termination, just as drunk drivers lose licences."

This petition is on an issue of extreme concern to people who are in the northern part of Ontario and whose livelihoods depend upon an effective forestry practice. I have affixed my signature in full agreement with these concerns.

BUSINESS OF THE HOUSE

Hon Frank Klees (Minister without Portfolio): I have a statement of business of the House for next week.

On Monday afternoon we will debate Liberal opposition day. On Monday evening we will continue debate on Bill 114, the Victims' Bill of Rights, and/or Bill 133, the Imitation Firearms Regulation Act.

On Tuesday afternoon we will continue debate on Bill 132, the degree-granting act. On Tuesday evening we will continue debate on Bill 114, the Victims' Bill of Rights, and/or Bill 133, the Imitation Firearms Regulation Act.

On Wednesday afternoon we will continue with Bill 132, the degree-granting act. On Wednesday evening we will continue debate on Bill 114, the Victims' Bill of Rights, and/or Bill 133, the Imitation Firearms Regulation Act.

On Thursday morning, during private members' business, we will discuss ballot items 45 and 46, and on Thursday afternoon we will continue debate on Bill 112, the McMichael bill.

NOTICE OF DISSATISFACTION

The Acting Speaker (Mr Tony Martin): Pursuant to standing order 37(a), the member for Thunder Bay-Atikokan has given notice of her dissatisfaction with the answer to her question given by the Minister of Health concerning St Michael's emergency department. This matter will be debated today at 6 pm.

ORDERS OF THE DAY

MINISTRY OF TRAINING,
COLLEGES AND UNIVERSITIES
STATUTE LAW AMENDMENT ACT, 2000
LOI DE 2000 MODIFIANT DES LOIS
EN CE QUI A TRAIT
AU MINISTÈRE DE LA FORMATION
ET DES COLLÈGES ET UNIVERSITÉS

Resuming the debate adjourned on October 25, 2000, on the motion for second reading of Bill 132, An Act to enact the Post-secondary Education Choice and

Excellence Act, 2000, repeal the Degree Granting Act and change the title of and make amendments to the Ministry of Colleges and Universities Act / Projet de loi 132, Loi édictant la Loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire, abrogeant la Loi sur l'attribution de grades universitaires et modifiant le titre et le texte de la Loi sur le ministère des Collèges et Universités.

The Acting Speaker (Mr Tony Martin): The member for Hamilton Mountain.

Mrs Marie Bountrogianni (Hamilton Mountain): First I'd like to say that I'm sorry I wasn't here last night to hear the minister and her parliamentary assistant at first hand to debate this bill. I had a long-standing engagement in Hamilton on an education forum. In fact, I have a lot of homework and I'll need to speak with the Minister of Education on that at a later date. They sent me packing with a lot of questions. But I'm pleased to debate this bill today.

Over a year ago the minister and I got together and she offered me the opportunity to help, and we did discuss some ways we could work together. But on this one issue we were both very clear we were on opposite sides, literally, of the House. We have both known that. They had their say yesterday and today it is this side of the House that will say why we're so upset at this bill.

Before I do that, I would like to make a correction on something the parliamentary assistant said yesterday. The parliamentary assistant quoted the Institute of International Education as the source for 7,000 Ontario students studying in the United States. I have an extremely bright executive assistant, a product of our public university next door, the University of Toronto, who checked on this. Mr Todd Davis, the director of the Institute of International Education, denies this, is upset that he was sourced on this and would like to know how the number was conceived, because it did not come from his institute. They look at Canada; they don't look at Ontario. In fact, his words were, "The numbers are mis-attributed and misrepresented," and he was quite upset. So perhaps you can check with your research department how that 7,000 was got and can clarify that. Mr Todd Davis would like to know as well.

1510

Before I go into the bill itself, I would like to get into some background information which we believe has led to the government's belief that there's a necessity for private universities. In 1995, \$400 million—15%—was cut from the budgets of colleges and universities, the largest cut in the history of post-secondary education. Since 1995, a funding freeze for operating grants was in effect, resulting in the approximate reduction of 2% per year, depending on inflation, to the funds available for colleges and universities. At present, Ontario ranks last among provinces in providing per capita operating funding for post-secondary education. It's not last if you take into account other sources of donations, endowments and incomes from the federal government, but as far as what Ontario gives, it ranks last. From 1992 to

1997, Ontario ranked second-last in all jurisdictions of North America in per student funding of post-secondary education. We are still among the lowest ranks.

By the end of its first mandate, the Harris government was responsible for a 60% increase in university tuition fees. Because of the policy of tuition deregulation announced on May 6, 1998, tuition fees can now increase by any amount for graduate and professional programs, and they have. Dentistry and medicine are extremely expensive. And as I'll talk about later, recent research shows that now the incomes of families who send their children to medical school are much higher than they were before; in other words, only the richer kids can go to medical school, at a higher rate than the poorer kids.

With respect to student aid, the Harris government is responsible for diverting funds from the Canada Millennium Scholarship Foundation. The minister quite correctly says this is not a scholarship; it's something that the federal government has given to the students. However, the spirit of the millennium fund was for students to receive it over and above anything else the provinces are giving. Some provinces did abide by that. Most, in fact, abided by it to a certain extent. Ontario was the only one that pretty well sucked up all that money into the big pot, but recently, and thankfully, gave back \$500 without penalty. But it's a far cry from—

Mrs Lyn McLeod (Thunder Bay-Atikokan): On a point of order, Mr Speaker: My apologies to my colleague for interrupting her speech, but I did want to seek unanimous consent of the House. It's my understanding that the Minister of Health would prefer to have the late show on Tuesday evening, and I'm certainly agreeable to that if we have unanimous consent of the House to that.

The Acting Speaker: Agreed? Agreed.

Mrs Bountrogianni: No problem. An important interruption.

With respect to student aid, the Harris government is also responsible for disqualifying part-time students for OSAP eligibility. I know the ministry is relooking at OSAP entirely and I hope they reinstate that money.

They increased the loan forgiveness threshold from \$6,000 to \$7,000, causing many students to accumulate \$1,000 more in debt per year; and they changed the name of the loan forgiveness program to the Ontario student opportunity grant to give the illusion that more is being done to reduce student debt.

They introduced a \$10 processing fee for paper OSAP applications and a \$2 fee for students seeking OSAP information over the telephone. In total, the government has netted over \$800,000 from these new user fees. None of this money is being reinvested into post-secondary education.

As our leader, Dalton McGuinty, said last week, you starve a system, make it look to the public that the system needs refurbishing or something different and then you introduce private institutions. I think whether consciously or subconsciously, this is what this government is doing. First you create a crisis—I'm sure John Snobelen has really regretted saying that—and we are facing a crisis.

I have read the Hansard for the minister's and the parliamentary assistant's comments and I would like to rebut some of their comments, if I may. The minister has said that she has "extreme confidence in the ability of our students, and indeed our working adults, to seize the opportunities and meet the challenges that this change will bring"—this change of private universities. I have no doubt the minister wants to meet the needs of Ontarians. We differ in how we meet that need and how we wish to have that need met.

My response to the minister's extreme confidence in the ability of our students is, why is the government, then, unwilling to invest and reinvest even the dollars they've cut? Within one month of being elected, they cut \$400 million from the post-secondary budget.

I understand that a significant amount of money has been put into SuperBuild, and the institutions welcome that money. It is matched, so there is a competition. You have to have private money before the institutions can receive this money, but it is welcome money nonetheless. However, what professors and presidents and students are telling me is that you need bodies, you need professors to teach students in those wonderful new buildings, and this is where there isn't any money.

On a talk show last year the parliamentary assistant hinted that there may be added money. I'm hoping this doesn't come in the last year, just before the next election, because universities need to plan. They need to know now. If you are planning on giving a windfall in the year 2002-03, universities and colleges would like to know that now. I used to work in that system, and you don't hire professors overnight, particularly when they are retiring at a faster rate in the United States and therefore they are coming up here to recruit our young professors. You need to start now, and you can't recruit without knowing what your budget is. If the parliamentary assistant is true to her word and if in fact there will be more money invested in post-secondary education to hire professors, tell the institutions now that you're going to do that. Even if you're going to give them the money in the future, put it in writing and tell them you're going to do it so they can go and hire these professors. It doesn't happen overnight, and the younger ones will be leaving for the United States when they're offered secure positions.

Another statement the minister made yesterday was, "As Ontarians, we are proud of the investments we have made in our post-secondary education and training systems. We have all benefited from the highly educated citizenry that is the envy of other countries." I agree with the minister here. We are the envy of other countries. In fact, Canadian embassy Web sites all across the world brag about Canadian universities. Their main point is that all our public institutions are publicly funded, therefore ensuring consistency of quality across the country. We will lose this in Ontario if we allow, without acts of the Legislature, which I'll discuss later, for-profit universities to enter Canada, and in this case Ontario.

According to the minister yesterday, "The Honourable William G. Davis not only had a vision for a new system

for those changing times; he and his government also had the courage and the conviction to create Ontario's network of new colleges of applied arts and technology that opened up a whole new era of learning." Premier Davis did have a vision. He had a vision of a stronger post-secondary education system in the province. He created community colleges, supported through the government budget, accessible to all, to fill a need. Why did this government not want to have that vision, and in fact shamed that legacy by laying claim to it and then creating private universities?

Private universities will not be of an equal calibre, particularly the for-profit type. New Jersey, for example, wouldn't let Phoenix university into their state because it didn't meet their requirements. Why are we even talking to Phoenix?

The minister stated, "Our Premier, our caucus and our cabinet have a new vision for the future. Our vision is of a post-secondary system that provides high-quality learning, that is relevant to the real needs of students and the workplace." That vision is a good vision, but why should that vision not be fulfilled through the public system, ensuring quality, ensuring consistency of quality?

1520

The minister stated, "We are meeting increased demand for student spaces through SuperBuild." You are doing that, the government is doing that, but according to the Price Waterhouse study, thousands more spaces will be needed. SuperBuild is not enough and, as I said earlier, operating grants need to be increased to hire professors, to buy the equipment that will fill these buildings the government is funding. As well, some of the institutions that have received SuperBuild funds are telling me now they're getting a little nervous as to how they will be able to match those funds, to keep their promises.

As you know, and this week was a great example with Nortel, markets change, business situations change, what one business can offer one day may change the next. I think Apotex is an excellent example of that: \$20 million promised to the University of Toronto, something changed in relationships between Apotex and the federal government and perhaps they quite rightly withdrew the promise of \$20 million. I'm not attacking businesses. I'm just saying we shouldn't just be depending on business for post-secondary education.

The minister claimed yesterday that she welcomes discussion and debate. Well, I hope so. Public hearings were promised and then were changed to private meetings. Yes, a lot of groups were consulted, but nothing of those discussions is in Hansard. The honourable members across, Gary Stewart, last week committed to hearings for this bill following second reading. It was printed in the Peterborough Examiner. I certainly hope that you will live up to this commitment. You're a majority government. If you want this, it'll happen. We know that. But the public still has a right to know both sides of the argument, for and against private universities. Our concerns are legitimate concerns. Perhaps by hearing the concerns, we can actually help the govern-

ment avoid some of the pitfalls that I know they're going to be facing with this new bill.

As well, this was never in the Common Sense Revolution; this was never in the Blueprint. The people of Ontario didn't vote for this. At the very least we have to give them as much exposure to discussions and the debate. If there isn't a public outcry, then the bill will pass and the public will meet the consequences as we all will.

The minister claimed yesterday that they're trying to meet the needs of lifelong learners no matter how old they are, no matter where they live. A wider spectrum of students requires a wide spectrum of choice. Some students want access to programs that are not offered by their institutions. But lifelong learning is being provided by Ontario and Canadian institutions as well. If, instead of just looking to the private sector, real consultations had been held, then those creative solutions might have been found right here at home. The University of Toronto, for example, provides on-line learning, continuing education and evening and part-time courses. An example is right next door. Most of our institutions provide that.

The minister also commented that in addition to face-to-face consultation, she encouraged everyone to submit in writing, to her office, their ideas and recommendations on the best way to implement this new degree-granting policy. They met with over 150 individuals representing public universities, colleges etc. But, Minister, we were asking right up until the last day of the House last year for a list of these groups, to know whom the minister was meeting with, and we weren't given this list until the very last day, when we were given a partial list orally, by the minister herself, in the House. That's not public consultation. I realize that at times opposition is a thorn in the side of ministries, but that is what democracy is all about and better decisions are made as a result of this.

The new Post-secondary Education Choice and Excellence Act, 2000, according to the minister is enabling legislation. It will establish the Post-secondary Education Quality Assessment Board, a very key component of the success of this legislation and the ongoing process. This board will establish rigorous standards to maintain and enhance the quality of programs available to students. But there are no clear guidelines. I understand and believe the minister's word that they will be developed by this board. But the standards won't be laid out in this new legislation. It'll be done by the boards.

How can they claim to uphold excellence when this is not only not a key and central component of this legislation but in fact is missing in legislation? Based on this board's recommendation, the minister herself, or in the future himself, can make the decision. In fact, if you read the bill carefully, a designate can make that decision, a deputy minister, an employee. Clearly, for such a change in how we do education in Ontario, we need more.

With all due respect to the minister, it doesn't matter how many degrees the Minister of Education or the Minister of Training, Colleges and Universities has, it

should not be up to one person to make that determination. This shouldn't be a one-person show, Minister. You have the ultimate and absolute authority to grant consent; in effect, it's irrelevant what the board advises. I'm quite surprised that you would want this awesome responsibility and this potential liability.

The minister stated yesterday, "We're underlining quality of the program and the institution's ability to provide it to our students, who come first." Does this mean that if the University of Phoenix makes an application but, like in the US, it doesn't plan on creating adequate library facilities, it will be denied? What about the lab space? There are so many different ways that public money can creep into this private system, and I will talk more about that in a few minutes.

The minister is proud to say that Ontario is home to some of the best publicly funded universities in the world, and I agree with her there. Our universities have been successfully competing on an international basis for many years. They have a strong record of academic achievement and are able to attract the brightest and best faculty and researchers. If this is the truth, then, should we not be fighting for increasing funding for our public universities instead of abandoning them to the market?

We now have major fundraising campaigns underway at our best institutions, as they fundraise to be able to build spaces, maintain existing infrastructure, offer scholarships for the needy, and attract the brightest so they can make up for the shortfall in government dollars. We're proud of their efforts. I'm proud of my hometown university, McMaster. It just reached its \$100-million fundraising mark, and will exceed that goal. The new president has an astonishing goal of trying to raise \$1 billion.

"And just as important to note," the minister said yesterday, "we have many students leaving the province to get the post-secondary education of their choice because they could not get the specialized programs they wanted in Ontario.... They're young people who have been going to other provinces, to the United States and even abroad because Ontario has failed to keep up with other jurisdictions." There will always be students who want to go the US or to Europe. I agree, if they are going there because there are obstacles in our system, we need to look at that. But there are other reasons why students want to travel abroad: they're young and they want different experiences.

However, there is a little paradox here. If the programs that are to be introduced are programs we don't already have and if, with all of the efforts of this quality assurance board, with all of the good intentions of the minister, this private institution does close, where are those students going to go to complete their degrees if these are highly specialized institutions? I think that's a good question, and I hope at some point, perhaps in her rebuttal, the minister can answer that.

If you are opening a highly specialized school because it doesn't exist here and, with all your best interests, it closes—I know that you've promised to reimburse

students financially, but that's not enough. Where are they going to go for year three if it closes after year two, if this is such a specialized program? Our public universities will already be splitting at the seams because of the double cohort. Will we expect them to take them on? Will we be opening enough private ones that other private ones will be taking them on?

That is what is happening now in the private colleges. When they close, the minister's office does an amazing job in trying to place these students who are out in the cold. Three of these places closed in Hamilton last year and the minister's staff did their best to place most of these students, but that is because there were equivalent private institutions in close proximity for most students—not for all. I had one in my constituency, a single mom with three kids. Even going to downtown Hamilton was a two-bus ride and that was challenging enough. She couldn't go to Burlington. There was just no way. So she lost her investment, her tuition and, more importantly, her time. Again, this is not rhetoric. I am actually asking this in a non-partisan way: what are you going to do?

1530

On that theme of public funding, the minister says there won't be any public funding, on the one hand, and then on the other hand she says that these students will be eligible for OSAP. Of course they will be eligible for OSAP—I'm not arguing that they shouldn't be; they're our students—however that's public money. Let's be honest about this: that is public money. As well, the Premier has been noted as saying that MIT and Harvard are great places and why wouldn't we want to have places like that in Ontario? I would argue that we already have places like that. I would put U of T and Queens beside Harvard and MIT any day of the week. However, that opinion aside, those institutes that the Premier likes to say we don't have up here, like Harvard, Yale and Stanford, are private degree-granting institutions but get a great deal of public money. In fact, they now call themselves publicly supported institutions, even though they're private.

The minister and I have a disagreement about NAFTA. That's fair. I guess we'll see what happens with NAFTA. We believe on this side that NAFTA will tie our hands, that once we allow these private institutions in, we will have to give them NSERC grants. The federal government will have to do that. Redeemer College in Ancaster already gets NSERC grants, notwithstanding NAFTA. The minister believes that because of Honourable Minister Palladini's and Honourable Minister Pettigrew's statements that this won't be on the table, it won't happen. Maybe I'm a worrywart, but the word of those two gentlemen isn't enough for me. I want a little bit more in writing from the World Trade Organization itself to say that our hands aren't tied, again with all due respect to the two ministers mentioned.

I'm not a specialist on NAFTA. I'm talking about what experts have told me. I guess on this one I hope I'm wrong, because that would certainly be the beginning of the end of publicly funded universities if this indeed were

true. But as an opposition member, as a former academic and a mother of two kids who I hope will get there some day, I'm concerned. So I feel I have to bring this up.

Chapter 11, the rules on investment, which comes out of the NAFTA agreement: for the first time a corporation can sue a foreign government if that government enacts any law, practice or measure that negatively affects the company's profits or reputation, even if that law, practice or measure has been enacted by a democratic Legislature for legitimate environmental, social, health or safety reasons.

I can't remember if I told the minister this, but a long time ago, before private universities actually became a public issue, before the minister started talking about them publicly, I actually went myself and talked to Minister Pettigrew about this. He said what Minister Cunningham echoed yesterday, that indeed education and health care are not on the block at NAFTA. I'm saying that's not enough. We need a little more than a minister who's in the middle of an election now, and we don't know what's going to happen on November 27. I'm honest enough to say that: we don't know what's going to happen on November 27. So we need a little more than that.

I have a trade lawyer, Barry Appleton, who is quoted as stating that under NAFTA, Ontario "must provide a level playing field for public and private universities once it changes the current system." The article presenting Mr Appleton's views implies that this equal treatment would extend to funding, a very significant implication given the \$2.5 billion annually—I hope I have that number right—that Ontario transfers to its 17 universities and their students. It also seems to contradict the statement by Dianne Cunningham, Minister of Training, Colleges and Universities, to the effect that any private groups given approval to operate university level programs will not receive taxpayer support.

Those aren't my words, Minister, they're trade lawyer Barry Appleton's words. Perhaps you could challenge him as well as me when addressing this issue.

Thomas Walkom—of course he's a journalist; sometimes they're our best friends and sometimes they're not—in an article in November 1999 also claims, "Under WTO rules, a sector that is fully open to the market must effectively remain so.... Nations are allowed to discriminate against foreign firms only in those areas dominated by government. But once Alberta puts private hospitals at the core of its health system, it will have to give foreign firms equal access. So too with Ontario and higher education." Again, don't only challenge me, but challenge others, in the press, experts, trade lawyers, the NAFTA agreement itself, Chapter 11, and come back to this House and reassure us again with a little more conviction that we have nothing to worry about.

The minister yesterday said, "It is time for us to face reality. Students require more, not fewer, opportunities right here in Ontario, close to home where they have the support of their family and friends, and where the resources are not as extensive."

Maybe we should have looked at polytechnics, other programs, other options, more applied degrees and more co-op programs. Failing that opportunity, the chance to innovate and lead the way, yet again we are failing the students of Ontario.

I was recently touring one of our community colleges which actually offers all of those innovative things that the minister claims are missing in Ontario.

"All new institutions," according to the minister, "will be subject to our key performance indicators that students are increasingly using to make informed decisions about their education futures, and they are taking these decisions very seriously. They want to know what percentage of students graduate and go on to get a job."

This is the one area that even the minister cannot say was a success. The key performance indicators, according to one post-secondary institute president, were intellectually vacant standards. The minister herself said they are relooking at these indicators because the margin of error is sometimes greater than the actual differences between universities that get extra funding and universities and colleges and so forth that don't. Even though those institutions that received funding this year were really happy to do so, they know that, by the grace of God, next year they may not because of this very flawed formula.

As well, I will again give the example of the private colleges. I'm sure they had indicators and data showing—I know they did—that such and such a percentage of students will go on to get jobs. What happened at Credit Valley? First of all, that wasn't even a real institute. It turned out to be a couple of rooms. Yet, it defrauded the government of \$18 million, or there's an alleged charge of that fraud.

I'm happy that the minister will be buckling down on students who default on their loans. But that's not where the big problem is. The big problem is with some of these private colleges, which have the highest default rate in Ontario, over 30%, much higher than our public colleges, much higher than our public universities.

What makes the minister believe we won't have similar difficulties, defaulting on OSAP, with private universities? To give some examples: Shaw and Alexandrian in Hamilton closed and, I believe, sometimes received funding from the ministry and OSAP knowing they would close. I know the ministry officials were very upset at this.

There's a situation that has come to my attention this week with a particular private program that I will bring to the minister's attention in the next few days, after this particular bill's debate is complete. I know she has a lot on her mind and so do I, but something very similar is about to happen right here in Toronto.

Again, in this bill, the students will be reimbursed their tuition if this happens. What about the rest of their OSAP? When they borrow, they also borrow for room and board, they borrow for books, for living, for eating. Will that be reimbursed? This is public money. Let's not lose sight of that fact. It is public money.

"This government is committed to ensuring that new degree-granting opportunities are accessible to all Ontarians, regardless of financial circumstance," according to the minister yesterday. "Therefore, students attending these new institutions will be eligible to apply for and receive financial help."

Minister, the other point I want to make on this point is, as you know, some of these private vocational colleges have tuitions that are much higher than our public colleges. Therefore, the OSAP loans are much higher. Not only is the default rate higher, but the amount of money that we are losing is higher.

Let's shift now to private universities, which I'm assuming will have even higher tuition fees than some of these private colleges, over \$10,000 a year. Again, if they close shop and leave, the defaults that may occur on the loans, because the students will be without a degree and without a good job, will be higher and more public money. Again, I'm issuing this as a caution and hope that there's a backup plan to avoid this.

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I understand when I read the bill that every assurance—that it'll be screened very well and so forth, but I know that the Alexandrian Institute was well screened, I know that the Toronto School of Business in Hamilton was well screened, and yet we had these problems. In fact, the Toronto School of Business in Hamilton was there for many years before it ran into difficulty.

The minister claimed yesterday that our young people are entitled to our assistance. I'm extremely pleased with both the millennium fund that the federal government is giving as well as the provincial scholarships that this government is giving, but research from the University of Western Ontario, as well as the University of Guelph, is showing that, for the first time, students from the poorer families are attending post-secondary institutions at a lower rate than students from middle-class and upper-middle-class families. So there is that difficulty.

The minister is very proud of the fact that we have a large number of our 18- to 24-year-olds attending our colleges and universities. We should all be proud of that. An educated public means a good, strong economy, means a safer society for our kids. But there again I think someone in the ministry is basically playing with numbers, and I want to point that out. If you look at the chart, right now there's a 35% enrolment rate of 18- to 24-year-olds, compared to 1985 when it was 23%. You say, "Oh well, under this government a lot more kids are going to university and college."

But if you look at the numbers more carefully, you will see that within the mandate of this government it's actually flat-lined. It's up 0.6%. If you look at the mandate between 1985 and 1990, it went up 3.6%. If you look at between 1990 and 1995, it went up 5.6%, and between 1995 and now, it only went up 0.6%. Basically yes, we're doing great, but you can't, by these statistics, say there is a causal effect. In other words, it's not necessarily any government's doing that our enrolment rates are the way they are. Again, I'm not going to take

credit for the Liberals having it increase so much in their mandate. This government shouldn't take credit for the number of students we have going to our universities now, because in fact that's not true. If you look within each government's mandate, the numbers tell a different story.

Another caution: let's not, all of us, mislead the public. I'm not accusing anyone. I'm just saying let's not do that. We don't need to do that.

Recently the minister appointed a task force to look at the highest quality of education while ensuring access for students, affordability and accountability. In conducting this review, according to the minister's background, the task force will examine best practices in Ontario and comparable initiatives in other jurisdictions. I actually welcome this, because I happen to know of individual cases where there is waste in administration, and I would love that money to be reinvested back into post-secondary education. I believe the minister has given her word that that is exactly what's going to happen, that this money will be reinvested, and that's wonderful. But if you read this background, again, it's a little misleading in that it says you will also be looking at quality. This task force was very clear to the first presenters that that's not their mandate. Quality is not their mandate. Efficiency, savings, that's their mandate. So again, let's not confuse the public.

I welcome this task force; I think it's a little one-sided in the way it's made up. There are businessmen, lawyers, the president of the University of Alberta, the CEO of a college in Nova Scotia. However, let's trust for now that it has an honourable intent, but let's not mislead the public that it's there to ensure quality. It's there to save money. If there's money to be saved, great, but I really truly hope—and I'm suspicious, but I hope I'm wrong—that this task force isn't just another rationalization to say, "We're wasting a lot of money. We have to cut more from post-secondary education." I really hope that's not what it's about.

Mr Rosario Marchese (Trinity-Spadina): Do you believe them?

Mrs Bountrogianni: No, I don't, but I'm trying to be objective. I am afraid of that. I actually believe that the minister has excellent intent, but we all know who really makes the decisions across the way. I really hope that this task force isn't just another example of creating a crisis in the minds of the public so we cut more money out of public education.

Mr Marchese: What's the name of that task force again?

Mrs Bountrogianni: The Advisory Task Force on Investing in Students.

Mr Marchese: Can you believe that?

Mrs Bountrogianni: Thank you.

Mr Marchese: I want to talk about that.

Mrs Bountrogianni: The other number we seem to disagree on is student debt. I'm not even going to go there until I get the number from the legislative library, but I do have one statement from the Council of Univer-

sities in 1999, which stated that student debt has doubled since 1992-93. The government likes to say \$13,000; we've been told \$25,000. But the one source I found said it has doubled. So regardless of the actual number, we know that student debt has increased.

There's a real paradigm shift happening here too—and perhaps the government agrees with and is actually fuelling this paradigm shift—and that is that it's OK to borrow and have huge debts as you finish your university or college degree or diploma. We don't know the impact of these student debts on the economy, though. Usually when students finish university or college, they might take a couple of years when they spend their money and make up for what they had to go without during university, but eventually they'll buy a car, settle down, buy a house and start spending money. If they have to pay back student debts, that money won't be going back into the economy. This government likes to brag about what it does for the economy. I hope their economists are looking at that and the implications of that.

I'd like to reiterate what I said earlier about the Guelph and Western Ontario studies that kids from lower socioeconomic families are taking on more OSAP loans and are not as likely to receive financial help from their parents, and they're not as likely to go to university, compared to the middle and upper classes, as they were 10 years ago—actually seven years ago. The difference, according to the Guelph study, did not exist in 1993.

I talked earlier about examples of public funding. I want to get a little more specific there. We compare ourselves to the United States a lot, but we're not the same. Their private institutions have been around for over 100 years. They have rich alumni who keep giving and giving—and I'm not talking about thousands; I'm talking about much more than thousands of dollars—to these institutions. That won't occur in Ontario by 2003. If that is the plan to address what SuperBuild won't address as far as the number of spaces students will need because of the double cohort, I think we'll be disappointed and I think there will be a lot of disappointed families out there.

I know some members of the government might think this is fearmongering. It's not fearmongering. I'm actually going to hold a town hall meeting in my town in January with members of the faculty and administration from McMaster and Mohawk to problem-solve this—not to fearmonger but to problem-solve this: what are we going to do in our hometown to make sure the double cohort isn't an obstacle? Again, all I'm doing is cautioning the government that this may happen. If in 2003 you plan on throwing in a ton of money because it's an election year, that's too late. You've got to tell us now if you're going to throw money in, so we can hire the professors.

The so-called private universities in the States are not as private as they seem. The National Centre for Education Statistics in the US reports that private universities in the Great Lakes states, Texas, Florida and California receive an annual average of \$9,554 of public funding

per student. The Massachusetts Institute of Technology, MIT—Mike Harris's favourite example of the type of private university he'd like to see in Ontario—receives 70% of its research funding from public sources.

I'd like to talk a little bit about what California is actually doing. I'm a little jealous; I wish we were doing it. It is going to actually give more than \$1 billion a year in scholarships to needy high school students who have good marks, up to \$10,000 a year toward tuition at one of the state's institutions. There's a similar entitlement program in New York, but this new California endeavour is twice as generous as New York's. They realize in the United States that until very recently they've been denied public funds, and now they're trying to make up for what they did years ago.

How does it work? Starting January 1, 2001, any high school senior in the state of California with a "B" average and a household income of \$64,000 or less—that's American, by the way—for a family of four would qualify for free tuition at any public university in the state or US\$9,700 toward tuition at a private one. Even "C" students from families earning less than US\$34,000 per year would receive US\$1,500 for living costs and books to help them catch up at community colleges. So they're also going for the "C" students, those students in the grey area who, with help, may succeed, and then they can qualify to go on to four-year degrees. In fact, there is an exciting college-university in British Columbia that I hope the minister visits, where you can start in college, but if you increase your marks and do well, you can switch to university right on the same campus. I think those are exciting ideas, a sort of seamless college-university education.

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The state officials in California did not hesitate to call the program, which is expected to cover almost one third of all graduating high school seniors or about 100,000 students a year, an entitlement. They know that, but Mr Davis, a moderate Democrat and a fiscal conservative, did not use that word. He had proposed a separate measure, also enacted today, that would award \$118 million a year to merit scholarships. It won't only be the funds to these students. There will also be scholarships over and above this for "A" students. So this covers the whole gamut. You may argue that if you give everyone a scholarship, why would they want to work hard and get an "A"? They've taken care of that by having merit scholarships as well. So here is the state of California, and we will be looking at this very closely and seeing how this impacts on their economy, their workforce and their graduation rate.

I had a meeting the other day with the Ontario Confederation of University Faculty Associations, and they had a number of concerns over Bill 132. They've objected to allowing private universities to operate in the province. They have argued that private, for-profit universities offer niche programming at exorbitant prices while drawing on public resources, without enhancing either the quality or accessibility of a university educa-

tion. These private institutions are being welcomed by the government, not as centres of academic excellence but as decoys employed to deflect attention away from the government's own legacy of undermining the public system through years of underfunding, and these private universities will not address the projected increase of spaces needed in the year 2003 and above.

Other concerns: OCUFA is concerned with the process of establishing a university, including the public disclosure of decisions by the quality assessment board. Whereas authorization of a university through an act of the Legislature allows for public review and debate, authorization by ministerial consent does not. Any authorization of a new university should be through an act of the Legislature, in order that public debate can take place and the public interests be protected.

Of course, that's not going to happen. I can see some members across, and I know what you're thinking: that it's not expedient, that's not efficient. But sometimes slowing down before you make such an important decision is a good idea.

According to OCUFA, there's nothing in this legislation which states that the board's decision and its reasoning be made public, or that the public have access to documentation supporting an application. It is imperative that any decision made by the board be transparent and open to public review. Here is another question which, hopefully either today or next week, the minister will reply to: will this board be transparent? Will the public be able to go to board meetings where applications for new universities will be discussed, or will all the decisions be made behind closed doors?

A concern that OCUFA has, and that I share, is the definition of educational standards. Such standards are not spelled out in the proposed legislation and may be subject to wide interpretation. These are small "e," small "s," educational standards. How would we know they are in fact meeting the standards of our universities? If you read the bill carefully, they're meeting the standards of this quality assurance board.

OCUFA also shares my concern that the powers given to the minister to prescribe procedures for reviewing applications are large, and that they shouldn't be made by one person alone, regardless of the intent or the background of that person.

Section 8 of the proposed legislation states that, "Institutions seeking consent to operate in the province are not entitled to any funding from the Ontario government." I've already discussed that. I share OCUFA's concern. We know they will be eligible for OSAP, we know they will be eligible for NSSRC grants and other federal grants and we know the professors going there will also be eligible for grants. Then there's the question of how NAFTA will be playing into all this.

Redeemer College in Ancaster receives NSERC grants and OSAP. It's a niche university. It offers one program. It's an excellent university but it does take public funds.

At present we do have some out-of-province, private, non-profit universities. We have the Adler School of

Professional Psychology, and we also have, as I just mentioned, Redeemer College. However, we don't have any private, for-profit universities. This would be a major change.

Although there were private meetings by appointment, there were no public hearings. I'm happy to say, though, that the honourable member from Peterborough did mention in his newspaper that there would be hearings, and I'm looking forward to those.

In 1996, the government's Advisory Panel on Future Directions for Postsecondary Education recommended that, under strict conditions, the establishment of privately financed, not-for-profit universities with authority to grant degrees with a secular name be permitted. Nowhere did they say "for-profit universities." This is your task force, 1996, and from what I understand, for-profit universities will also be allowed.

To recap some of the concerns, private universities are not so private. They depend upon government funding over the long run, through the use of the OSAP system for tuition, three to five times higher than public institutions. Private institutions have higher OSAP default rates, comparable or lower employment rates and lower incomes of their graduates over the long term. See the research from Dr Allen.

Private institutions, rather than focusing upon quality education, look to their bottom line and are run as a business, focusing on maximizing income. Therefore, shorter, more intense programs are usually the norm, one to two years, and are not regulated in the same way that public institutions are.

Students run the risk of paying many thousands of dollars to complete a certificate or diploma program which ends up not being recognized by their desired employer. Private institutions lead us down a path to a two-tier education. They also lead us to a trend toward market-model universities, corporatization increasing in public institutions, exclusive deals being signed, endowments and research agreements already bringing closer ties between business and academia.

I'm not arguing against business being involved or doing their part, but there have been—

Mr John O'Toole (Durham): It's a conflict of interest. You're a professor.

Mrs Bountrogianni: I was a professor. I'm not any more. So I believe I'm objective when I say that when you accept private money for research, you do have that risk of losing your objectivity, and again I use the Apotex example.

Universities train thinkers for the future. The Premier might not recognize the importance of great thinkers, but without them innovation and productivity fail. Critical thinking, analytical skills and leadership come out of public institutions. By the way, they also come out of liberal arts programs, an area that is indirectly impacted negatively by this government.

The example of the University of Phoenix is that they were fined \$650,000 recently over an audit which showed system-wide problems with financial aid pro-

grams and therefore they weren't allowed to establish a site in New Jersey. Also, the state of New Jersey wouldn't let them in because they had an inadequate library and they didn't have qualified full-time faculty. Yet I know they've already been up here.

Hon Tony Clement (Minister of Municipal Affairs and Housing): Now New Jersey is exempt?

Mrs Bountrogianni: If New Jersey doesn't accept Phoenix, why are we even entertaining them, former Minister of Education? I've been at it for 50 minutes. Maybe I'm not as clear as I should be.

The CAUT, the Canadian Association of University Teachers, voted in December to oppose the establishment of private universities due to concern over their ability to drain public money from the public university system.

I guess another question is, if you are going to give the students OSAP loans, are you going to increase the OSAP budget, and, if so, by how much? That is a question we'll be asking if the minister ever does go to estimates in the next year. How much are you going to increase that budget for OSAP?

Mike Harris always gives MIT and Harvard as examples. Well, Phoenix is hardly a comparable example to MIT and Harvard.

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I know there are many challenges in post-secondary education today. The challenge of the double cohort is one that the minister, I'm sure, is thinking about. But this isn't the solution to that challenge. In fact, we're really late on this one. We should have started planning for the double cohort years ago. It takes years to build the buildings that you're funding right now, and it takes many more years to establish a faculty. What is already happening, because of the cutbacks to post-secondary education, is that more and more part-time faculty are being hired in certain faculties. That is not the same quality as full-time, tenured professors.

The minister announced that Ontario would be opening its doors to private universities last April at Seneca College. I was there with my staff, and many students were there. It wasn't in your Common Sense Revolution, it wasn't in your Blueprint, and you didn't introduce any legislation before the announcement. You had private meetings with stakeholder groups and then last week it was announced. The minister announced there would be public consultations and then changed her mind.

In a press conference last week, in response to the question, "Why is the public so against private universities?" her reply was, "They are simply afraid of change." Rosario, I think you were at the press conference.

Mr Marchese: Yes, I was.

Mrs Bountrogianni: I don't know how you felt, but when I found out that this was said, I felt it was rather patronizing and typical of this government's Big Brother mentality on knowing best for Ontario. I don't think the public is afraid of change. I don't think the public really is aware of what this change means, and I don't think, if the public knew the implications, they'd be supportive.

That is why again and again I say, if you really wanted to do this, it should have been in your Blueprint. Then the public would have voted for it. Then that would be fine; we'd have to accept it. This is a little difficult to take.

SuperBuild purports to open 73,000 new spaces by 2003. We'll still need 16,000 more. This isn't the solution.

Let the public not be misled for a minute. These private institutions do receive public monies, as I have outlined in many examples.

The minister stated that she will get tough on students defaulting on their loans. What about getting tough on the private college institutions that have defaulted on the taxpayer and on the students of this province? One last year defaulted us of \$18.5 million. What we could do with \$18.5 million. These institutions up and close when they see their profits eroded, and once they go bankrupt, that's it; we've lost that money. Why would we want to even go there? Why would we want to put ourselves up to that possibility by opening even more private institutions? Why not fund our public ones?

Interjection.

Mrs Bountrogianni: You'll get your turn and you can rebut anything I say. That's fine.

The minister said there will actually be a reimbursement of tuition if the private university closes. In other words, the minister is already acknowledging that this is a possibility. Why go there? Why even have this possibility? Again, you can reimburse the tuition, but the students usually spend a little bit more than tuition. If they've left home, they've spent room and board, food, books, plus two years of their lives. If the university closes in the middle of the tenure, will the ministry forgive their OSAP? Will the ministry also reimburse their living expenses? Will the ministry pay for them to go to another niche program? Because that's what they're saying. They're saying they're going to accept universities that have programs that we don't have. They'll have to accept a lot of them if they start closing.

I'm just hoping it was a slip, because the biggest insult last week was when the minister said that education is a business. Education is not a business, Minister. It's a right, it's a service, it's a great equalizer in our country, and it's what makes us unique. It's what makes us the envy around the world.

I had the opportunity in 1997 to evaluate programs for the European Community and the reason I got that job—my credentials weren't the main reason—was that I was Canadian, that I was from a Canadian university. That is how much we are respected in the rest of the world and part of that is because our public universities work. I think it's a shame that we want to take this away from our young people. We'll be watching, and I hope the government will be watching these institutions very carefully too.

I want to end with some quotes from university presidents who are not left-wing, who are not Liberal or NDP, who, in fact, quite often think the same way as the government. Your own supporters say things like:

"Our excellence is relentlessly being eroded by forces beyond our control"—Principal Leggett from Queen's University;

"Unless the province makes a serious commitment to new funds commensurate with the growth and demand for places, it is inevitable that access will be sacrificed and quality will be eroded"—the former University of Toronto president, Robert Prichard. This is a man who I really was embarrassed for a year ago when he came and practically begged for money. I was embarrassed for him as a man and this is what he is saying;

Peter Mercer, the University of Western Ontario vice-president of administration states, "The fundamental building blocks of the Ontario university system will crumble if we do not very, very soon get the operating grants we need."

Carleton University president Richard Van Loon states, regarding SuperBuild infrastructure, "Additional classrooms won't help us much if we don't have the faculty to teach in them."

Something else from the young Tories: I was at a conference on Saturday where I spoke to university students from political parties and the young Tories told me that they actually asked their party to freeze tuition. They like the idea of finding inefficiencies in administration, they like this task force and so do I, so do we, so does the Liberal caucus, but they wanted this government to freeze tuition fees. These are the young Tories.

I'm happy that the government put a 2% cap, that's better than the 60% increases that they allowed to occur under their mandate, but their own supporters at the student level wanted a freeze. Their own young Tories told me that, yes, medical school tuition is very high and it's getting out of hand and they don't want it to increase any more. Of course they're careful, of course they're not going to say they want it rolled back. They're young Tories. They knew they were speaking to a Liberal but they were honest enough to say they wanted a tuition freeze, and yet their government didn't listen to them.

Of course, why would they listen to the students who want rollbacks, the students who want more assistance? Why would they listen to the class of students that can't afford the new Ontario tuition fees?

Again, I'll end by saying this wasn't in their Common Sense Revolution. This wasn't in their Blueprint. Hopefully, we have the word of the member opposite, Gary Stewart, that we will have public hearings after second reading and they will take place so the public can openly see the pros, the cons and the implications of allowing private universities into our province.

The Acting Speaker: Comments and questions?

Mr Peter Kormos (Niagara Centre): Let me tell you about Joe DiBartolomeo because he knows, he understands that this government's introduction of private, for-profit, American universities is a betrayal of generations of hard-working Ontarians.

You see, I know Joe DiBartolomeo. I know his parents, Fior and Loretta. I know his grandparents, both sides of the family from Port Colborne and Dain City.

Fior didn't get a chance to go to university. He, as a child, emigrated to Canada with his parents. Fior, like his father before him, worked a lifetime at Inco. Joe is the first generation of his family to get to go to university. Let me tell you, he completed his bachelor's degree at Brock and his master's degree at Brock. He's now got his PhD in environmental ethics—all but dissertation—from the University of Ottawa.

Joe DiBartolomeo knows what this government's tuition fee increases have meant for him and his family. He's a bright young man who deserved to go to university. He's among our best but he also knows that private, for-profit, American universities will shut the door in the face of young people like him for generations to come.

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Joe DiBartolomeo of Port Colborne knows this so well, he knows it so viscerally, that he offered himself as a candidate at the Erie-Lincoln New Democratic Party nomination meeting last night. He was elected as a candidate for the NDP and he's going to be campaigning in this federal election throughout the riding of Erie-Lincoln, speaking for people like him—young people, the children of immigrant families; speaking for young Canadians, not just in Erie-Lincoln but across Ontario and Canada; speaking out against this wave, this orgy of privatization that's been embraced both on Parliament Hill and here at Queen's Park; speaking on behalf of hard-working families like his folks and his grand-folks were before him, hard-working families who built colleges and universities in this province and across this country, who made sacrifices to build them so that their grandchildren could go to university and college when they couldn't. This government betrays those hard-working generations of Ontarians. It betrays them in a way no government ever has. Joe DiBartolomeo is among the people who are going to change that.

Mrs Tina R. Molinari (Thornhill): I would like to respond to the comments made by the member from Hamilton Mountain, who is also the critic for training, colleges and universities. I want to say that every concern that the member has raised here today has been addressed. The questions have been answered. As a matter of fact, a number of those concerns were raised through the consultation process, and they have been addressed in the legislation before us today. If you read the bill—the bill should be in your package; you should have a copy of it—you'll see that a lot of those concerns are addressed.

But I want to focus on some of the comments that were made, because the member made a lot of political statements rather than talking to the actual legislation in the bill that's here. As a ministry, students are our first priority, and all of the money is being reinvested in students.

It's important to note that in 1998-99, 35% of the Ontario population aged 18 to 24 was enrolled full-time in college or university. This is the highest participation rate in Ontario's history. We've made numerous investments in post-secondary education: \$1.8 billion in capital

to provide for the 73,000 new pupil places. We've invested in the research and development challenge fund: \$550 million there. There have been a number of re-investments that we have made in the system to provide for students in post-secondary.

I want to comment also on the fact that \$698 million was put to financial assistance for the students. So when the member talks about the cuts, the money has been reinvested, because the main focus for our ministry is for the students.

Mr Dwight Duncan (Windsor-St Clair): I want to applaud my colleague from Hamilton Mountain for her insight and the quality and tenor of her arguments that were put so well. I wanted to pick up on a couple of those points.

First of all, by doing this we undermine our public institutions. There is no question. A case in point: in the United States, if you look at the private universities, say in the state of Michigan, which I am fairly familiar with—the great riding of Windsor-St Clair is on the international boundary—what we see is poor public universities and better-off private institutions. There is a drain-away of money.

I want to add one other component to this argument, because I think this bill ultimately will have regional implications. The universities and the public bodies that will be hurt the most are the small, regional teaching schools, whether it's Lakehead, the University of Windsor, Trent University, the universities that aren't necessarily the largest and the most powerful in terms of the research but do wonderful things. At my university there's the Great Lakes Institute, and much else. The joint venture with Chrysler Corp: we've just seen another half-billion dollars, private sector-public investment, in a great partnership that I was proud to support when I served on Windsor council.

I say to the government, if you won't believe the arguments that were so eloquently put by the member for Hamilton Mountain, that is, that an investment in public education, an investment in our students, will solve the problems—remember, we're still at the bottom or near the bottom in every measure in this country—think it through carefully. This is not a good piece of legislation.

Mr Marchese: I want to quickly congratulate the member from Hamilton Mountain whom I like as well as the Liberals close to us here. I don't like all of the Liberals, I've got to admit, but I like her.

I want to say that she did a more than an adequate job of articulating a position against this bill, because it's going in the wrong direction is what we argue and is what she has argued.

For the benefit of Nadia Lambek, who is a co-op student from Harbord Collegiate and is here in the gallery, and is very interested about what this government is about to do—that's why she came today—I want to tell her that I'm seriously concerned about her future and the future of so many of the students that are about to go to university very, very shortly.

I'm saying to the Minister that I don't know anyone that has been calling for private universities. Normally governments behave on the basis that somebody out there is articulating the needs, is screaming for private universities? So I'm saying, OK, where are these people clamouring for private universities? Is it the high school students? I don't think so. Is it the university students? I don't think so. Is it the professors out on the streets saying, "We want private universities"? I don't see them.

Who are these people who want private universities? The Tories, one, and those who lobby the Tories who are their buddies, who are coming from the US, ready and willing to snatch away whatever they can from our public institutions, waiting and willing to come in and make some money out of education. A public institution which should service all—they come here wanting to make money out of education. Those are the only people asking for it. No one else.

The Acting Speaker: Response?

Mrs Bountrogianni: I thank everyone for their comments. For the member from Thornhill, I've read the bill very carefully—I hope you at least took that from my preparation and my remarks—and it raises more questions than it answers.

As far as your comments that a lot of these issues were raised in the consultations and answered in the consultations, how would I know? They weren't public. They were supposed to be public. Then you came across here and, to your credit, said, "We've changed our minds. We're going to make them behind closed doors for security reasons." Fine, but then don't expect me to know what happened. I don't know what happened in those consultations. I know some of the backup plans that the minister has. I'm not happy them, I told you why. I actually think I'm being quite helpful in suggesting ways to make sure that the backup plans are tighter.

In this case I really hope I'm wrong, because I have two kids and I know you've got kids. Mine aren't quite there yet, but hopefully they'll get there. I want the system to work. Whatever system's in place, I want it to work, I want it to be excellent, for selfish reasons as well as political reasons and, in my case, for professional reasons. If I don't get elected, I don't want to go back to a system that isn't a good system.

Mr Dominic Agostino (Hamilton East): Oh, you'll be back.

Mrs Bountrogianni: But I'll be back, sure. We'll see. So there are a lot of reasons why I have stakes in this. It's personal, professional and political.

I'll just go back to my premise, and I'm sorry if I'm repeating myself. But I think it cuts to the bone of democracy. This wasn't in your Blueprint; this wasn't in your Common Sense Revolution; the people didn't vote for this.

My friend who likes me, Rosario, says, "Who wants this?" Again, we don't know who wants this, except for maybe a few businesses in the United States that want to come up here. I know that the teachers' college in Buffalo can't wait to come up here.

There will be students paying \$10,000 a year down the street from our students paying \$4,000. Why not give more money to Brock University to do the job?

Mr R. Gary Stewart (Peterborough): That certainly says it's a heck of a deal in Ontario, isn't it, even with all those comments that you made about high tuition?

It's my pleasure to be able to speak to Bill 132, the choice and excellence act, and I indeed support the Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000. As a government, we have made a commitment to ensure our students have access to high-quality and relevant post-secondary education.

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The reason I'm pleased about speaking to this act is the fact that I am very fortunate in my riding to have three very high-profile institutions. One is Trent University, one of the smaller universities in Ontario but probably one of the most well-respected universities, and certainly in their aboriginal studies program and their environmental studies program second to none in this country. The other one is Sir Sandford Fleming College, a college that has some 4,000 to 5,000 students, which has created partnerships with both the private and public sectors and is highly respected. Their graduates seem to be able to access jobs very quickly after they have graduated. The third educational institution that I have in my area is Lakefield College School. For those of you who don't know about Lakefield College School, it is a private college and one that is respected all over the world. In fact, many of you may or may not know that Prince Andrew attended that school.

Hon Margaret Marland (Minister without Portfolio [Children]): And my daughter-in-law Jane Forsyth taught there.

Mr Stewart: The member for Mississauga has informed me of that, and that's the type of college that is available in the private sector. Unfortunately, my kids were not able to go there, but I can tell you that I have a great deal of respect, a tremendous respect, for that school. I know many of the professors there—David Hadden, the president, and many others who know what education is all about.

Those three institutions and the quality of institutions they have added tremendously to the economy, the culture and the social fabric of the Peterborough riding community. As a result, I'm extremely pleased to speak to this bill on their behalf and to be able to offer praise to those three institutions.

This legislation is a key component in meeting that commitment to increase access to post-secondary programs through more flexible delivery. This legislation is about protecting and enhancing the quality of education available to students right here in Ontario. I want to make a comment that when I use the words "enhancing the quality of education," it's because we want our universities and our colleges to be second to none in the world. We also want our students to be second to none in the world, and we want them to be able to compete against any student from any country in the global marketplace. I

believe that if we don't offer that type of education to our students, we are indeed short-changing them.

The Post-secondary Education Quality Assessment Board will play a pivotal role in helping us achieve that goal, because they will be the policing unit, for lack of a better word, to make sure that quality is available to the students here in Ontario.

As the minister has said repeatedly in this House, any private university applying to grant degrees in Ontario must meet or exceed the criteria set by the board. I have absolutely no doubt that the universities we have and the universities and/or colleges that will come in the future will indeed exceed that criteria. Again I say it for one reason: that we have to make sure our students have the best quality education possible.

Second, they must provide a flexible program that students want, and third, they will need to lead to jobs. Isn't that what education is all about, so that our students have the education, the ability, the qualifications to go out and compete in the global marketplace, but indeed to get the jobs?

It's interesting to note that the jobs that have been created by this government over the last five or six years, to the tune of in excess of 800,000, are out there now. We want to make sure the students who are graduating are staying in this province to be the leaders of tomorrow and that we're not, unfortunately, having that brain drain going to the United States.

These new institutions will also be subject to our key performance indicators that students are increasingly using to make informed decisions about their education futures. They are taking these decisions very seriously, and indeed they should.

We want to know what percentage of students graduate and go on to get a job. I believe we must teach to the job market. Unfortunately there are not a great deal of jobs out there for furriers these days, or harness-makers or whatever, because we have entered a major high-tech world. We had better make sure all of our students are well enough equipped and that we are teaching to that job market. That job market is changing very quickly.

I often hear people saying that in the course of a lifetime in the future, people will have four, five or six different jobs. That wasn't the way of the past. We've got to prepare students of today to meet those challenges and have the ability to apply for and have those jobs of the future.

While the legislation we are debating today, if passed by the Legislature, would allow private universities to provide more flexible and relevant opportunities for Ontarians in a broader choice of fields, we are sending a clear signal to potential applicants that we intend to be vigilant and protect our students' interests. Quality education in Ontario is not negotiable now and, if we do it right, will not be negotiable in the future. But we have to make sure that the safeguards are in place and that our students' interests are indeed protected.

The act would also enshrine into law the Post-secondary Education Quality Assessment Board. That is the board, the group that will make sure we are indeed vigilant, that we are indeed protecting the students' interests.

This independent board—and I believe that is one of the keys—would assess new degree program proposals submitted by Ontario universities, out-of-province degree-granting institutions and new degree-granting institutions in Ontario, including privately funded institutions. The board would use rigorous criteria established in accordance with recognized educational standards. It would then make recommendations to the Minister of Training, Colleges and Universities about whether proposals should be approved based on the quality of the program and the institution's ability to provide it.

One of the keys to that is the fact, as I have mentioned, that it's an independent body, a body that is going to take the concerns and go out and talk to parents, students, universities, whatever it may be, to make sure we get it right.

This will ensure that new degree programs offered by colleges of applied arts and technology and new private universities will be of good quality and meet Ontario's high standards.

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I mentioned Lakefield College School for one reason: because it is a private university, a private university second to none, I believe, in the world. I have great concern when the opposition seems to be constantly against privatization or the private sector. We deal with doctors and lawyers every day—retail. We buy cars, we buy houses. We deal with banks. We deal with the local grocery store which supplies us with the food that will keep us healthy and alive. Yet when it comes to something like that, then the private organizations are all wrong. I don't understand that. If privatization is wrong, why are you all dealing with them every day that you exist, every day that you live? It's most interesting. Maybe part of it's because I've been in the private sector. I've also been in the public sector, and I believe that both of them are very similar in quality. The problem I have is that there's always the constant pushing of negativity toward the private sector, and I have great difficulty with that.

It was interesting to note that the member from Hamilton Mountain made the comment that education was a right. I don't believe it's a right. I believe it's a privilege. It's a privilege that we all have to be able to achieve as we go through the various levels of education. We have to be able to look at education and say, "I want to move on because I have the ability, because the programs are there." But I don't believe it's a right. I truly believe it is a privilege.

I've mentioned the comment about the board setting rigorous criteria. The board will be established by order in council. Subject to the passage of this legislation, we hope to have the board up and running later this fall.

The other thing about privatization is that I'm a great believer in competition. When you get competition, you get quality, you get accountability and you get service. If we had, and continue to have, competition in education, wouldn't that be interesting? It would then add a whole lot of accountability to the various levels of education, and I am 100% supportive of that.

As I mentioned, the board will be established by an order in council. It will be representative of all legitimate interests and will include academics, business and student leaders. If that doesn't say we are going to have the input from all sectors, I don't know what would. It will have 11 members and the members will be part-time.

The legislation being introduced today also contains measures that would protect students attending private degree-granting institutions. Before granting consent for new degree programs to be offered by a new private post-secondary institution, the Ministry of Training, Colleges and Universities would need assurance that the institution could provide appropriate financial protection for students before degree-granting authority was given so that students could recover their tuition fees in the event a school closed.

What difference is that from anything else that is involved? We have to make sure those people who pay dollars into various institutions or organizations, whatever, are protected. That is primary, and with it being in this type of legislation that says we not only want to make sure you have quality education, but we want to make sure your hard-earned dollars—and we've heard it's difficult these days for all students to try and gather up enough funds to go, even with OSAP and the number of new jobs we've created in this province, but we have to make sure these students are protected.

An applicant would also have to make arrangements to ensure that students have access to their transcripts in the event the school closes, again primarily to make sure that the student has those transcripts if he has to move to another location. People are going to stand up and say, "See, I told you this could happen." We have to make sure the protections are in place so that this doesn't happen, and we will do that.

The legislation would also permit colleges to offer applied degrees in areas where there is a demonstrated employer demand for degree-level applied education and training and where current diploma programs are not fully meeting emerging needs. Again, we have to educate to the jobs. We have to educate to the needs. We have to educate to the areas where employers need these people. If we don't do it in Ontario, you and I know where they're going to go. They're going to leave, and we can't afford to have the quality students we can produce in this province leaving this province. We want to make sure they stay.

Mr Agostino: Which way does the river flow today, Stockwell Day?

Mr Stewart: It's interesting, the comment from Hamilton, or wherever he's from, suggesting I sound like Stockwell Day. I'm telling you what I sound like: I sound

like a person who is concerned about education and the students of this province. I want them to stay. I'm a businessman who wants people who are knowledgeable to stay in this province. You may not want that, and that is fine. We want them here and we want them well educated, and we indeed will do that.

As part of the application process, proposals for colleges to offer applied degrees will need to demonstrate employer support. This credential is being introduced to colleges on a pilot project basis. Up to eight projects per year will be approved for three years. Examples of areas where college applied degree pilot projects might be granted include plastics, information technology, electronics, automotive design and manufacturing. Small manufacturing is going to be the key for survival in this province. It's happening now. They're creating the jobs and we need qualified students.

It's interesting, that last comment my friend across the way made. I just want to make a comment about "Liberals Just Don't Get it When it Comes to Schools." "It means more jobs here. It means more prosperity here. It means more opportunity here.... The Liberal stance is dumb on so many levels that it's hard to know where to start, except perhaps by observing that the poverty of policy imagination within the official opposition has reached alarming depths.... [Private universities] ... will fill a niche, answer a demand and provide a service."

As I mentioned, this government is committed to ensuring students have access to high-quality and relevant post-secondary programs. We have already taken steps to achieve that goal at our publicly funded institutions.

We have expanded enrolment in science and high-technology programs through the access to opportunities program to increase the number of graduates in these high-demand sectors. Through SuperBuild, we are investing with our partners more than \$1.8 billion—Peterborough: Trent University, \$32 million; Sir Sandford Fleming College, approximately \$28 million. We are preparing for the double cohort. We are preparing for top quality university and college in my riding and we are going to be prepared to meet the demands of the future.

I'm proud to be a participant in this debate. More important, I am proud that we are finally responding to the needs of our students and our communities.

The Speaker (Hon Gary Carr): Questions and comments?

Mr Mike Colle (Eglinton-Lawrence): First of all, I think the member for Peterborough should maybe correct the record. My understanding is that Lakefield College is not a university, it is a high school. That's the first thing that should be corrected. It is a fine institution. He also said it was the best anywhere. I think there are a lot of excellent high schools throughout Ontario. I can name public schools—St Mike's College here in Toronto. Lawrence Park in my riding is a public institution.

1640

I just want to say that maybe this bill is a wakeup call for all of us in Ontario who perhaps take for granted our excellent public institutions. If you look at our univer-

sities—and I've had direct experience, sending my four children to them in Ontario. Actually, one went to McGill, but one has graduated from Ryerson, one is a graduate of the Ontario College of Art and Design and one is at Queen's right now. They are excellent institutions, second to none.

If you compare what they offer at Queen's or U of T, compared to what you have to pay in the States, it's \$25,000 for tuition at comparable schools like Dartmouth or Cornell. In a public institution here in Toronto or in Kingston, you can get an excellent education. I think we, as legislators, and people in Ontario interested in education, better start standing up and defending our public institutions because they provide an excellent education—as I said, a world standard.

I know the member doesn't mean to do this, but he basically implied that our public institutions aren't up to par. They're not perfect, but our institutions—I gave an example of Queen's, Western, Ryerson, the Ontario College of Art and Design—are second to none and they are publicly supported. I don't want to see this government take them for granted or in this Legislature somehow hamper their efforts. Their efforts are producing great results, in the private sector providing employees and certainly internationally in academic circles. Let's not forget what they do.

Mr Marchese: I'll just comment on a number of areas. It's difficult to comment on everything, because you said so much, member from Peterborough, but just a couple of things.

You were saying, "If we don't do it, somebody else will." If we listen to your argument or the argument of the minister and this government, we're not going to be spending any money because they will be privately funded. If that is the case, if they don't come here, we've got nothing to lose, really, because we have a well-funded university system, you argue, that's very competitive and doing very well. So we don't have any need for this private university, do we?

But wait a moment. It suggests, by offering the quality assessment board, however, there might be some problem. Why else would you bring into this equation the quality assessment board if you didn't think there would be some problems? You're admitting, Mr Stockwell, to the fact that you're going to have a problem with these private universities; therefore, you're introducing a quality assessment board, meaning, "We've got a problem with this introduction of private universities so we better put in some mechanisms to protect ourselves from the critics, because they might just be right."

This is, in my view, humble as it is, an admission that you people know that organizations like Phoenix, south of here, have caused serious problems for themselves and the student body in the US, Mr Stockwell. Go over there and respond in your two minutes. Come on.

The point is, you create a problem and then you set about creating another bureaucracy as a way of solving that problem.

To the member from Peterborough and others who are present, we don't need a private university. We don't

need the US folks to come over the border and make money out of our education system. Nobody wants it.

Mr John Hastings (Etobicoke North): I think the point is that we need to reframe this debate, much as the member from Peterborough has pointed out.

One just cannot accept the illogical thesis offered by the members opposite that somehow this is pitting public institutions against a new type of competition in private universities. Evidence of that is quite clear. All you have to do is visit some of the community colleges. The member for Hamilton Mountain has cited Conestoga.

In my own case, Humber College, a vice-president of business development, Ms Chris Gatavekas, has for a number of years had to operate within the constraints of the old community college education system. She has wanted to expand and get on with the job of creating a lot more new jobs. Humber College, among a number of community colleges across Ontario, has done so, in plastics development, in automotive technology, in robotics. How did they come about? Sometimes they came about because of partnerships, but all too often, unfailingly, an appalling record by our friends in Ottawa, who are denying this province, its employers and particularly its workers nearly \$600 million of training funds that we never hear about from our friends opposite. Every other province and territory has an agreement; not Ontario. Ottawa is deliberately discriminating against us—all the more necessity for this bill.

Another example: the architectural technologists want associate degrees. We put through a specific bill four years ago to sponsor that. What is happening? We're losing these folks to the United States. This is all the more reason for the rationale and need for this bill.

Mr Agostino: I listened with great interest to the member from Peterborough. If there really was a statement that clearly shows the difference between the Mike Harris Conservatives and the Dalton McGuinty Liberals, I believe it was the comment of the member for Hamilton Mountain, Marie Bountrogianni, that education is a right. The member from Peterborough feels that education is a privilege in this province. That fundamentally shows the difference between the Dalton McGuinty Liberals and the Mike Harris Conservatives. Clearly, we believe that if you have the ability, the will and the drive to go on, you should be able to. What you believe is not only that you have the ability, the will and the drive, but more importantly that you have to have the money—the great divide between the rich and the poor in this province.

My colleague talked about Lakefield. Yes, Lakefield is a great school. But let me tell you what the fees are at Lakefield: grade 9 to OAC as a boarder, \$31,575 per year; grade 9 to OAC as a day student, \$19,806; Grades 7 and 8, \$14,975. How many parents in this province, working people, can afford those types of fees? We need first-class, quality, publicly funded university education, and your government has failed miserably. You still owe the university system \$200 million of the \$400 million you cut out in 1996. You've badly underfunded the university system. You are creating the kind of crisis you want in order to justify private universities.

I understand the Minister of Labour believes in private universities for his rich friends and the kids of his rich friends at the Albany Club. We understand you believe that. We don't. We believe every Ontarian should have the opportunity to be able to afford to go to university, unlike the Tories, who believe it should be based on how much money your parents have.

The Speaker: Response?

Mr Stewart: The comment just made is interesting. I have a number of friends in Peterborough whose children go to Lakefield College School—and it's not a university. I didn't say it was. I called it what it is, Lakefield College School. Some of those people—many of them—are working people. We have a number of aboriginal students at that university as well. But it's the quality, and it proves one thing: the private colleges and private universities can work well and can deliver the quality of education we need.

I want to read another quote, if I may: "This significant and visionary action by government recognizes the quality of Ontario college programming, the needs of Ontario students and the demands of the job market. Applied degrees will give students greater choice in the knowledge economy"—Howard Rundle, chair of the committee of presidents of the Association of Colleges of Applied Arts and Technology of Ontario. I suggest those types of people making those types comments are truly dedicated.

I also made the comment that I believe competition in the education system would greatly enhance education in this province. That is Gary Stewart's statement, that is my opinion, and certainly does not reflect the opinion of members of my caucus. But we have to have competition. We have to make it the very best we possibly can. I have seen competition for many things in my few years of life, and I can tell you that competition adds accountability, adds efficiency, it adds a quality we cannot do without in our students in this great province.

1650

The Speaker: Further debate?

Mr James J. Bradley (St Catharines): It should not be surprising that the government is bringing forward this bill. I think we recognize the ultimate agenda of this government. To be fair, anybody who is surprised that they're going to introduce private, American-style universities into Ontario is pretty naive. I certainly expected it. It is not something I thought would be avoided under this government. There have been advocates on the right wing who wanted private universities to come into Ontario a long time ago. They have been people who have not been prepared to fund appropriately the universities and colleges that are there at the present time, which require not only the capital funds you will see from the so-called SuperBuild fund but also the funds that are necessary to operate those universities and colleges.

Some here who served at the municipal level would know that when making a decision on whether one is going to embark on a capital expenditure, for instance, to

build a building, often the major cost is the operation of that building and the operation of the services provided within that building. Although post-secondary institutions are no doubt delighted to get funding from any level of government to expand their operations, to accommodate their needs and to bring about new opportunities for students—they're happy about that—the key is to have the operating funds, and that is where the students themselves end up having to pay a considerable amount.

There are some countries that have a very small tuition, almost a nominal tuition. I think there's a recognition that in the year 2000, students at the post-secondary level should probably pay at least a portion of the cost of their education. I've heard of no one who says that's not going to happen. I think the NDP at one time had it in their policy package that they were going to abolish tuition. When they came to power they found out it was difficult to do, and I think they raised it by either 32% or 40%.

Interjection.

Mr Bradley: The member for Windsor-St Clair says 50%. That wasn't because they wanted to be mean to the students, and that wasn't because they wanted to see this happen. In fact, as I said, it was in their policy package that they would abolish tuition. But I think there was a recognition that to obtain the funds necessary to have those institutions offer the kinds of programs they wanted them to offer students, and within the fiscal realities of a deep recession, they found they had to significantly increase the tuition fees. That's a recognition.

What we don't want to see in this province is going back to the days when the only people who could have post-secondary education were those who were either extremely bright and were able to obtain scholarships through their performance academically—and we applaud those people and are happy to see them in post-secondary education—but also those who had sufficient money to go to a post-secondary institution of education. So essentially it was very bright people or the children of the rich who were able to obtain that post-secondary education.

The other day in a stop along his endeavour now—I guess it's the campaign trail—the Prime Minister said he did not apologize for the millennium scholarship that the federal government has put into effect, which allows students some additional funding to obtain a post-secondary education. I know the province of Quebec—at least the present administration in Quebec—was very annoyed about that, because they do not like to see the federal government have anything to do with education. However, they were simply providing funding for students across this country to further their post-secondary education. I think that is an excellent program and a good millennium project.

It is my understanding—someone in the government will correct me if I'm wrong, but I'm quite sure I'm correct—that in Ontario what this government did was subtract the amount of money you got from a millennium scholarship, saying, "We'll take that off what your loan

would have been, what your financial obligation to the government might be," instead of allowing them to use that for education. So even here, as we see so often, when the senior level of government, the federal government provides funding, as they did for child care, we find there's a clawback from the provincial government, so that the people who would have been the recipients are no better off.

Let's look at the philosophy of this. I happen to believe we should invest appropriately, and that means substantially in post-secondary education. There's a great payoff for it. It's not money down the drain. When we see the students we produce—it sounds almost like a production line when you say it—when you see the students who come out of our institutions of post-secondary education, we recognize that we have something that can be considered to be quality for the country, a real asset for the country. Whether they're in the professions or in speciality areas, they have obtained an education which has allowed them to advance further and helps our competitiveness.

I am the first to concede that we're in a very competitive world today and we want to ensure we have a well-educated and well-trained population. But it must be within the financial realm of those who are going to school. One would hate to see students who simply do not have the money be unable to access post-secondary education. I notice that a deregulation has taken place now for certain professions. The idea behind that is that places like Queen's University and the University of Western Ontario and others would say, "Well, if you get an MBA, you're probably going to have a chance to make a lot more money, or if you get a legal degree or a medical degree, chances are that your earnings in the future will be quite substantial." That may well be the case. But what I want to say here is that what we'll see more and more is that it's the sons and daughters of the wealthiest people in the province who will have first access to those positions in medical school, law school, the other professions and in other preferred places in the post-secondary institutions of education in this province.

One of the fundamentals that certainly brought me into politics is that the publicly funded education system is there to provide equality of opportunity for students in this province. I cannot, nor can anyone else, guarantee the outcome. That is for the student. Perhaps that is for luck, in some cases. But what I want to be able to guarantee is that whether a person comes from a home of very modest means economically or whether it's the son or daughter of Conrad Black, where there are millions available to them, those people will have the same opportunity. That's what we in the Liberal Party have believed over the years. I remember a speech that Dalton McGuinty made just the other day about that, wanting to ensure there would be that equality of opportunity.

I was at Ridley College in St Catharines the other day. Ridley College is a private school, and I was giving the same message to those students at that private school, whose parents are paying a substantial amount of money

for them to attend that school. I indicated to them that not everyone had that same privilege available and that my responsibility as a publicly elected official is to ensure that within the publicly funded system, whether it's elementary, secondary or post-secondary, there is equality of opportunity. That can be provided only if the cost is within the reach of those students and their parents.

That's what we're fearful of when you start introducing these private, American-style universities into Ontario. I think a better course of action would be to appropriately fund our post-secondary institutions of education, as opposed to inviting others in to compete. I know there's a theory among many in the right wing—it's in the bible of the Fraser Institute—that somehow you must have this competition from the private sector in the field of education before you can achieve something approaching paradise in the post-secondary realm. But I happen to believe that if we appropriately fund our publicly funded system, places such as Brock University, McMaster, the University of Toronto and others, Niagara College, Conestoga College, Cambrian College—in other words, both the community colleges and the universities in this province—we will go a long way to providing the kind of quality education we want for our students.

1700

So I'm quite concerned when I see this government now bringing in the American universities, the private universities, because there's no question that's going to siphon students away, just as in the United States, with what has happened in the elementary and secondary system with vouchers, for instance, what you see there is a deterioration of the public school system because people of means are able to take their children out of the public school system and put them in the private school system. Therefore, there is less incentive for government to build a strong public school system where people of all backgrounds are able to join together as we have in this country in our publicly funded school system. I am concerned—I don't want to say I'm shocked, because I'm not shocked by what this government is doing—at the consequences of allowing these universities in, that some of the money, even from the students, that would have gone to our universities will be available to the private ones.

The member for Hamilton Mountain, the Liberal critic in the field of colleges, universities and training, gave an example of Brock University, where there's a college of education. Many students have had to go, as we say in our area and as they do in Windsor, "over the river." That means over to the United States. And they had to pay a substantial amount of money in American dollars, perhaps US\$10,000, US\$12,000, US\$13,000. There are some who think the solution is, "Why don't we just have them pay that over here and we'll put them in our universities here?" My solution would be to have the cost of university as it is here available to those students but there would be more opportunities for them, because if you look in the field of education, there is going to be a shortage of teachers.

One of the reasons we have that, and I digress a bit here but I know the Speaker will be indulgent of my digression, is that so many people are leaving the teaching profession right now, the day they can. This is a change. Many of us have in our families—perhaps you do, Speaker, within the larger family out there—people who have been in the field of education. At one time they taught till they were 65 years old, the retirement age, and stayed in education. Now the morale is so bad in so many of our schools that people are leaving not at the end of a school year when they're eligible for retirement, not at the end of the month or the end of the term, they're leaving the day they can.

I was talking to a person the other day who in my view has devoted his whole life to education. That is the person's whole life. He had decided that that is what he was going to, devote it to education. I would have thought this was a person who would have taught till he was 65 years old. In fact, I thought the person would at least teach until eligible for retirement. This person is leaving the day he can, in February of this year. For some, I understand it. For some, they have reached a point in their educational career where they're prepared to leave. But when you see people who are so dedicated, who've spent their entire life dealing with education, and their morale is so low and they're so—I can't use the terminology—let's say "annoyed with" the policies of the government and the attitude of the government towards those individuals. The former minister of education is trying to determine what I was thinking of at the time, so I said "annoyed."

Mr Gerry Phillips (Scarborough-Agincourt): Don't fall into that.

Mr Bradley: I would never fall into that, of course, as my friend from Scarborough-Agincourt says. But they are so dispirited that they're leaving the education profession. We're going to be competing for teachers soon. California has to give all kinds of incentives now to get teachers into the system. That's why I'd like to see an expansion of the opportunities for students to go into our colleges of education in the province. The answer isn't to set up American-style high-priced opportunities for them, which are largely opportunities for the rich. I think it is to expand our present system and ensure that it's within the financial reach of the students in this province.

I don't expect it's going to be free any more. At one time there were some opportunities in certain categories where it was free. I don't expect that's going to be the case in the year 2000, and I don't think students really expect that. But they don't want to accumulate such a huge debt that they spend half of the rest of their life paying off that debt and seem to be mired in debt.

We get it back anyway. If these students accomplish what we hope they will in post-secondary education, then we're going to get it back just in terms of income taxes and other taxes that people normally pay in their everyday lives, because they're going to be better equipped to compete in the world.

So I am concerned. I do believe, as my colleagues in the Liberal caucus do, in an increased investment—I

don't use the word "expenditure"; I call it an investment—in post-secondary education. The Minister of Training, Colleges and Universities seems to be clouding the issue out there. We support Ontario colleges in their efforts to offer new and innovative programs to Ontario students. We do not support the introduction of private universities that will draw precious funds away from those public institutions.

Ontario is one of the few jurisdictions, as you would know, in North America that has been reducing its investments in higher education. SuperBuild funding, while it's welcome for some—and I am happy to see it when it is allocated, although the conditions on getting it are much tougher these days—does nothing to address the critical need for operating dollars. Colleges and universities welcomed the money, but as I say, it's how they're going to heat the buildings, staff the buildings and things of that nature. Mike Harris promised every motivated and qualified student a space, but surely not at the cost of some \$40,000.

The government is claiming that private universities will be fully funded by private money, with no taxpayer dollars, that they will enhance quality through competition, and that public money will have more impact because the public system will have fewer students. Well, the government is claiming to have put a safeguard in the act. We don't think that's going to happen. In reality, private universities do draw on public funds by means of student loans and grants, tax incentives to students and donors, and research grants.

The minister strongly stated that students at private universities in Ontario would be eligible for student loans. In the US, non-public institutions receive an estimated 30% of their income via public means. Even Harvard receives 17% of its funding from government grants.

The competition already exists in the publicly funded system in Ontario. What I'm fearful of is that after we get over the double cohort—that is, where we have abolished grade 13 and you're going to have two years of students coming in at once—once we get past that bulge the government is going to be looking to close universities and colleges in this province. That's what my fear is. Some will say, "It will never happen." But if you have these American universities moving in, these private universities coming in, what you will see is that people—the wealthiest people particularly, because they're able to do so—may filter into those systems, and we will have our own colleges and universities, paid for by people in their community as well as by the taxpayers of the province and national taxpayers, disappear.

Will that happen tomorrow? Of course not. Is it likely to happen within two or three years? No. But if you look down the line, if you follow this pattern that the government is following, you might well see that happen.

I think it's important to ensure, from junior kindergarten to post-secondary education to graduate school, that you have a situation where you have equal access for all, an equality of opportunity which allows the child or

the adult, by the time they're in post-secondary education, from the poorest family economically in the province or the richest family, to have that same access to a high-quality publicly funded education system.

There was never a fight, for instance, when we had Bill 160 before us, between the teachers of this province and the government of Ontario. The fight was essentially between those who believed in a strong, publicly funded, vibrant public education system and those who did not. That's what the fight was all about. I see that fight now branching out into post-secondary education.

1710

Let us hope this government reconsiders. Let us hope the government recognizes the valid arguments put forth by people within our own university system and our own college system. None of us have objection to the part that allows community colleges to grant degrees in specific circumstances. I think that's progressive and I will support that part of the legislation. I cannot support, however, the introduction of private universities into this province.

The Speaker: Questions or comments?

Mr Marchese: I know the member for Thornhill might be doing her two minutes as a rebuttal. I'm looking forward to the hour I'm going to have next week to debate this bill and to have an opportunity to respond to the comments you are about to make, and made earlier, that I don't have time for. I support much of what the member for St Catharines has said. I agree with 95% of everything that he has advanced here as an argument against private universities.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): Let's hear about the 5%.

Mr Marchese: Let me tell you, because I don't have much time: on the point of equal opportunity, while we agree with this notion of equal opportunity, it's not always true that people get equal opportunity in society. I'm sure he'll agree with me, because we know that those who are rich, those who come from professional backgrounds, are always going to have the edge over those who are much poorer and who make less and who don't come from professional backgrounds. Even if you open the doors to these poorer people, it doesn't mean they're going to get equal opportunity, because the conditions they bring are very different. So equality of opportunity with respect to unequal conditions does not bring about equal results. That's the point.

The whole issue of access is a bit of a tricky one and I'll have an opportunity to respond to that when I have my hour lead. But I agree with the notion of equal opportunity and I agree that governments have to commit themselves to it as a way of making sure that those who are at the bottom somehow have the conditions to be able to compete with those who are better off. The problem is that when this government speaks about access and giving, as the bill says, "choice and excellence," because they are going to rely on tuition fees to get into these private universities, they're going to have to double the tuition fees to be able to get in. At the moment if it's

\$25,000, people are going to have to spend \$50,000, so there goes the whole issue of access. It's gone.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I'm very pleased to be taking part in this what we traditionally call in the House two-minute hit in response to the speaker from the Liberal side and from the NDP.

"Liberals Just Don't Get it When it Comes to Schools." One might think it's something I'm trying to say. It is a headline written by John Ibbittson of the Globe and Mail on March 9 of this year. I'll take the liberty of perhaps elaborating on that.

"Liberals Just Don't Get it When it Comes to Schools...."

"It means more jobs here. It means more prosperity here. It means more opportunity here.... The Liberal stance is dumb on so many levels that it's hard to know where to start, except perhaps by observing that the poverty of policy imagination within the official opposition has reached alarming depths.... [Private universities] will fill a niche, answer a demand, and provide a service."

One would say that perhaps the newspaper man has a biased view—I don't know why—but here is a quote from 19-year-old York University student Alfred Avanesy: "I'm somewhat distraught at the fears voiced by many of Canada's student leaders about private universities. Instead of protesting this initiative, we should be embracing it. The time has come for Canada to follow in the footsteps of most industrialized nations in offering students a choice between a public and private post-secondary education."

I had the privilege a couple of years ago while on vacation, in my own private time, to take my children to Boston, a fine city, if I may say so, to show them MIT and Harvard. I want to make sure that choice is available within Canada and within Ontario as well.

Mr Duncan: I'm pleased to respond to my colleague from St Catharines. I listened attentively to the points he made, and he spoke about and recognized, I think as all of us do, the competitive nature of the global economy.

One of the things that I think has made Ontario historically significant competitively over the years is our post-secondary education system. It has worked; it really has. This year, Ontario will surpass Michigan as the largest automotive jurisdiction in the world in terms of production and in terms of jobs.

I'll remind the members opposite that we've only had public universities for about 40 or 50 years now in many instances, and the system has worked. It has provided the highest standards of education. It has graduated Nobel laureates. It has produced great engineers, great scientists—great philosophers, I might add—and it's done so in a way that keeps things accessible for working families, people like those I represent in Windsor. It does so across the province.

So this bill, in my view, is going in the wrong direction for the wrong reasons. We are competitive. The system does work. The system has had great success. Of

late, it's suffered under budget cuts, cuts particularly emanating from this government, and that's most unfortunate. The time has come to reinvest in our post-secondary institutions to provide those opportunities in what I believe to be—what is—the most competitive and finest post-secondary education system in the world.

Mrs Molinari: I'd like to respond, and it's a pleasure to be involved in this kind of debate.

Some of the comments that have been made have to be rectified. When people talk about, "This is just for rich families," it's in fact for everyone. What we're doing is providing more access for students, more choices and more flexibility, quite frankly, for the students, adult students mainly, who are working and are not able to take advantage of the traditional type of post-secondary education. This is allowing them to continue their education in a very flexible timeline.

I also want to state that the result of the consultation process, the whole summary, was posted on the Web page on October 17. Some of the comments that have been made by the members opposite were that it was a secret process, a process that wasn't open. It was an open process. All of the results have been posted, and anyone who wants to know what the summary of those results is can just look it up on the Web page.

Mr Bradley: Not everybody has a Web page.

Mrs Molinari: I'm responding to some of the members opposite. I would imagine that all of you have access to—and actually the member said that her assistant was very good at doing research. If she's got a good assistant who can do research, I'm sure she'll have access to the Web page as well.

This is about opportunities, as I said. There will be no government funding for any of these private institutions. What we are doing is committing to helping students, not helping the private institutions with funding. Students will also have access to OSAP for programs that are deemed appropriate by the quality assessment board that will determine which are the universities that will be able to operate in the province of Ontario. This is about helping students.

The Speaker: Response?

Mr Bradley: I thank the members for Trinity-Spadina, Bramalea-Gore-Malton-Springdale, Windsor-St Clair and Thornhill for their comments.

That's exactly what we're talking about here, equality of opportunity, and I don't think the equality of opportunity is enhanced by allowing American universities in. Rather, it would be much better if we were to expand the opportunities within our own universities and colleges. Essentially, the people who will be going to the private universities in this province are going to be people who have the money to do so. That's who is going to be there.

It's just like the two-tiered health care system that I heard Stockwell Day, I think it was, talking about the other day—somebody can correct me—or one of his people. I guess it was Mrs Meredith from British Columbia talking about the two-tiered system of health care. This is the same thing as that. They think that if you

somehow relieve the pressure by allowing rich people to get their health care somewhere else, somehow everybody benefits. Well, they don't. The rich people benefit because they can afford the very best opportunities, and the others are left to fend for themselves, so to speak.

1720

The same is true when you allow the introduction of private universities. What would be much better is to expand our already high-quality universities in this province, make an investment in them and our colleges across the province. That would be supportive. If the government brought in a bill doing that—it probably wouldn't need that, but if it brought in legislation doing that, I think we'd see enthusiastic support from all sides of this House, particularly if they were prepared to allocate the necessary operating funds to ensure that the quality of education provided in those post-secondary institutions of education would be very high. The ideology of this government militates rather in favour of something that will provide a benefit to the rich and the most powerful in the province.

The Speaker: Further debate?

Interjections.

The Speaker: I hope the member is ready. I apologize. The member for Trinity-Spadina.

Mr Marchese: You've got to get in the game here. It's your turn as Tories, right? We skip a turn.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: I think you will know, and the member should know, that the rotation now goes to the NDP. We're all disappointed that he didn't realize that.

The Speaker: The member for Trinity-Spadina.

Mr Marchese: I thank you for that intervention; it was brilliant.

So it's my turn. I'm ready. I'm always ready, happy to serve, always on duty. I'll get my little notes together and we'll have a speech that I can begin for this fine hour.

I want to begin by saying that the title is where we should always begin, because it's an indication—member for Thornhill, stick around. I wanted—

Mrs Molinari: I will.

Mr Marchese: OK. The title is An Act to enact the Post-secondary Education Choice and Excellence Act.

Interjection.

Mr Marchese: The problem I've got with this, monsieur Sampson, Minister, is that the title belies its content, and I'm going to explain why. First of all, where's the choice in this act called An Act to enact the Post-secondary Education Choice and Excellence Act?

Hon Rob Sampson (Minister of Correctional Services): All over the place.

Mr Marchese: All over? I'm going to explain to you why it isn't all over the place. In my response to the member for St Catharines I was saying that we do not have equality of opportunity in our society. We think we do, Tories certainly say that we do, but we don't. Because if you, Mr Sampson, as a banker, have a whole heap of money, your children are going to be better off

than Mr Marchese's children when it comes to choices that you children will have versus mine.

Interjection.

Mr Marchese: That's an example. Forget you; let's talk about somebody else. Someone with a whole heap of money, somebody with millions of dollars—not you, but somebody with millions—in my view has a lot more choices than someone who's got only up to \$50,000, \$60,000 or \$70,000. Doesn't that make sense? So is there equality of opportunity if someone is loaded with money and someone doesn't have any? It's a simple equation, right? The guy who's got a lot of money is going to have more choices than the guy who doesn't have any money. It's a simple equation for those of you who are tuned in to this political forum of the day.

When they argue about choices, good taxpayers of Ontario, I know a lot of you taxpayers are not wealthy people. In fact, these Reform-minded Tories are appealing to the working man, the working guy who is only earning \$30,000, \$40,000, \$50,000. You are the people, the taxpayers, who are sustaining this party. They are reaching out to you and they are saying to you, "With this bill, you and your children will have more access." And I'm saying to you, good taxpayers of Ontario, the ones who support this party, that your children are not going to have the same access as their children, the children of the rich. They are not.

I tell you what. I'll explain it even further for your benefit and for the members who are listening. At the moment, tuition fees represent 35% of what it costs them to fund our university education. Some 35% of the money that is funded for public post-secondary education comes from the individual who goes to university. It's a whole lot of money. It used to be 25% under the Liberals and New Democrats.

Interjection.

Mr Marchese: I'm happy to admit it, but under the Tories it has jumped to 35%, and they think, good taxpayers of Ontario, that that is normal. So at the moment the average tuition fees of my daughter, at the end of four years of university, will be \$20,000 to \$25,000—tuition plus the other costs like textbooks. I tell you, it's a lot of money, which Mr Marchese doesn't have, and I'm well paid. If Mr Marchese, a member of provincial Parliament, who earns a good salary in this place, who makes \$78,000, doesn't earn enough to help his daughter, are you, taxpayer, making \$40,000 or \$50,000 or \$60,000, able to pay for her or his tuition fees? I think you don't have the money. So who does? Who's got this choice?

They want to introduce private universities and they argue that private universities ought to be funded by the private university, meaning no money will come from public institutions. If that is the case, as you argue—and I will show you later that it is not—that it is completely funded by this private sector, this entity somewhere out there, then if the tuition fees represent 35% of the cost, meaning on the average \$20,000 to \$25,000, it is estimated—Mr Sampson, fellow minister, I don't understand why you're shaking your little head.

Hon Mr Sampson: I'm trying to figure out what channel you're on. I don't know. Are you on another planet?

Mr Marchese: The minister, Mr Sampson, says I am from another planet. Well, let's put the argument out. I leave it to you, good constituents, to figure out whether Marchese is from planet Earth or Mr Sampson and his government are from planet Mars. I'll leave it to you.

Mr Bradley: Rosie, it's the Albany Club they're from.

Mr Marchese: The Albany Club indeed; a good place for the working man to go and mingle with the other working men.

Let me continue with the argument. You just said to me what planet am I from, and I'm telling you I'm from planet Earth. On planet Earth, students pay, on average, \$20,000 to \$25,000 for university. This is planet Earth we're talking about, with our feet and yours presumably, and hopefully, firmly planted on the ground, right? It's a reality you can't dispute.

Interjection.

Mr Marchese: Minister of the Environment, follow with me on this. If you're going to allow private universities to come into the province, you've made the argument that they're going to have to fund themselves, correct? Yes or no? OK, you nod, indicating yes.

If that is the case, then someone has to pay for that university education, that little niche e-commerce kind of thing that you guys want to bring into Canada. If the tuition fee in our public universities is about \$20,000 to \$25,000, what do you think, Mr Sampson? That it's going to be for the student who is going to go to the private university? Well, it's got to be more, right? Are you following? If there is no public funding, it means the student is going to have to pay more for his or her own education. Speaker, are we together on this?

Interjection.

1730

Mr Marchese: Sure it is, because we're part of the same team. If we're part of the same hockey team we understand that we play together, right? But they're not playing together with me. They're playing their own game. That's why they're accusing me of being on another planet.

I'm saying that those students who go to the private university are going to be paying presumably anywhere from \$40,000 to \$45,000 in tuition fees. You can't dispute it. I'm waiting for one of you, when you have your moment, to dispute that fact. What I'm saying to you is that your title belies the reality. The reality, therefore, is that you're not giving access to people, you're giving access to a few specialized individuals who want that niche education but who have the money to go. I've got to tell you, if they have to spend \$40,000 or \$45,000 a year, you've got to be more than a minister in this place to have enough money to be able to pay for their education. You've got to be a federal minister to earn enough money to send your daughter or your son to university, because you need the extra \$40,000 which the federal

members are getting over the provincial members. That might possibly be just enough to pay for the tuition fees to send that child to a private university. So much for access. What access do you people want to give, and to whom? The point is, you're giving access to the people who don't need it. You're giving access to people who want their own private, little club. I'm saying to you it's not good. They don't need a private university in order to be able to get what we offer in our public institutions.

You often argue that our post-secondary institutions are quite good, that in fact they're great and they offer the kinds of services that everybody seems to want. If that is the case, why open up our system to private universities that come from down south to make money out of it? Why would you do that? Why not give our public institutions the support they need to be able to provide what you think we are not doing? If you believe we're not providing something, good God, it's your job to provide it. It shouldn't be up to some private institution to bring it to you. It is your responsibility as the non-government government to bring the public and its needs into this institution. That's what I think, and I think the people who are listening agree with me.

They also agree with me that when you made this announcement in April and organized some private little meetings, you, the minister of post-secondary education, closed those meetings to a few people you obviously wanted to bring to that meeting. We said to you, "Why do you skulk away in such a vulpine manner? Why would you do that? Why don't you open up those doors so that we know what you're discussing, so that we know what the framework of that discussion is?" We have no clue. We had no clue whom you invited. We don't know what they told you. You've never told us. You've never released the information that permits the public and us, as opposition members, to know what kinds of discussions you had with the few people you invited behind doors. We think that's wrong. If you feel good about your legislation, then open up the windows and open the doors and let us in. Let the public into those discussions so they can assist you, inform you and advise you on the kinds of institutions we want and need. But you shut them out. It was a private, little club you had with a couple of people you obviously thought would be on your side.

I did happen to meet, by accident, one person out of that whole gang you invited who said to me just a couple of days ago—not even a couple of months ago but a couple of days ago—that she was in those meetings. She said that the fact that private universities are coming is not subject to debate. That was not on. The framework, therefore, had already been established by the minister and so the advice she wanted from those people was how best to bring private universities in so that presumably the minister wouldn't look so foolish when she did bring them in just last week. But there was no discussion of the framework, no discussion of the need to have a money-making private university or not. I think that just reflects the manner, the *modus operandi* of the government over and over again. It is an ideological party that just does

what it wants and not what the public needs, not what the public desires.

I have often said in this place in relation to this bill, who is asking for Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act? Who is asking for it? I have been asking around. I have been asking high school students, "Have you been asking for this private university?" They say no. In my riding of Trinity-Spadina we've got hundreds of university professors. I exaggerate a bit but there are a lot of university professors in my riding and I ask them personally, "Are you people begging the minister, pleading with her to bring in private universities?" They say, "Good God, no. It's nothing to do with us. She doesn't consult us as professors in the system."

So I move on, I go around and say to the various faculties, the various university institutions, "Are you people asking for it?" They say no. What some of them are publicly saying is they're not afraid of the competition. But for those who do say that, they miss the point. The point is not that our public institutions cannot compete with the private universities. That's not the issue. The issue is that our universities are good institutions that are performing well, are internationally known, and what they're looking for is support from the government to be able to do a better job.

Of course I understand they're not afraid of the competition, because there is nothing to be afraid of. There's no quality that comes out of these private universities that I am aware of. In fact, the kind of quality we're talking about has brought people like Phoenix, that organization, into disrepute, if anything. So there's no quality involved. The point I make about the university presidents who say, "We're not afraid of the competition," is that they're missing the boat. They are not seeing the larger picture in terms of how our society is being restructured and reshaped by this ideological, Conservative government for its own political ends. Will it divert public funds to be able to support these private institutions? I say yes, and those who have studied this matter are saying funds will be diverted from the public purse to support them, and in that regard those institutions, those universities that are saying, "We've got nothing to be afraid of," are wrong. Because the more money gets sucked out of our public institutions to support the private universities, the more it will eventually hurt those very people who are saying, "We've got nothing to be afraid of."

The point I'm making, good taxpayer of Ontario, is, who are we serving here? Who is clamouring for a post-secondary, for-profit university? Where is the need? Where are the demonstrators saying, "We want private universities in here"? Where are they? There aren't any. So who's driving this agenda? It's the minister and the Premier and a few cabinet ministers and that's it. They are the ones who are driving this agenda, because if it's not responding to any perceived need, it is a reflection of a Conservative ideology. They love to privatize. They love to privatize anything that moves, anything that they can.

Similarly, I argue, just about a month ago we had in this building a number of organizations that had come, organizations that are, dare I say, Conservative-inclined, or with proclivities that lean to the Conservative Party. These interest groups—by the way, they are not interest groups if they support Tories, but if they support the NDP they're interest groups. But these individuals who had come to Queen's Park, those who are Conservative in ideology, came here in our press chamber and said to this provincial government, "We need charter schools. We want public money so that we can start our own schools and we think you, Conservative government, who agree with us, should do it."

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Here's the way I think it works. The Minister of Education, elementary and secondary, probably had lunch with this group of people, not necessarily lunch but a meeting with them, and I am convinced the Minister of Education and some of the MPPs have said to this group, "We need you groups of people, you organizations, to go out and create a need for charter schools. We want you to create the sense that somehow there are people out there clamouring for charter schools."

The minister is likely to have said, "Be careful. I can't be seen to publicly agree with you, because at the moment we are not in favour of charter schools and public opinion is against it, so we are a bit squeamish about lending our support to you. But we've got to begin the debate somewhere, so we want you to go to Queen's Park and raise a fuss. In the meantime, I can't be seen to be supporting you, but what I want you to do is to come back in a couple of weeks' time, or three or four weeks or a month and a half, and do the same thing so that we create the impression, you see, that there are a whole lot of people out there who want charter schools."

It's coming. It's coming because Mike Harris, the Premier, and the Minister of Education dissociate themselves from it for a short while until they've manufactured consent or created the impression that people want it. It's brilliant. They're good. They're very good, and they're getting better and better all the time.

Mr Bradley: They hired Paul Rhodes.

Mr Marchese: Paul Rhodes, oh, my God. They've got a lot of people who know how to manufacture public opinion, how to twist it and shape it, mould it. They know how to do it.

So they were able to do that at the elementary-secondary level, and they're gradually beginning to create, not a groundswell, but a little murmur of a desire for charter schools. But have you noticed? They haven't been able to do the same at the post-secondary level. You know why? Because they can't find a crowd of people who say, "We want private universities." They can't find them. That's where I think, Mr Sampson, you've got to go out of this province and reach out to some other planet to bring in these supporters of the private schools, because you can't find them on planet Earth. I feel if you could have found them, you would have brought them here in the Legislature, the press gallery, urging and

demanding that we have a private university. They're nowhere to be found.

So you engage in your usual practice of obscurantism, which is what your language of all bills plays with. You obscure things in such a way that you lead people to believe one thing whereas it's the opposite that is contained within the substance of every bill that you've introduced into this House.

Where do we go from here? How else are you going to be able to define it, to explain it as a way of being able to get the support you're looking for? The problem that many are speaking to is that our existing university system, that has diversity as its focus, that has equity as part of its focus, good, sound principles, that has comprehensive programs—not narrow, not focused on one or two particular issues but much more broadly based, not niche marketing education—our system where they're doing good research and basic research and would love to do more research if only they got more money from governments, where they have the academic freedom, by and large, to do what needs to be done, they're saying, "Support us. Give us the money we need to be able to give diversity, equity, comprehensive programming and the good research that we're doing." They're not getting it. They're not getting what they need.

As a result, they introduce a smokescreen for the restructuring of post-secondary education which enhances neither quality nor access. There is no quality when it comes to these private universities.

Interjection.

Mr Marchese: John, no, I tell you, the programs that have been offered by some of these private universities are in much disrepute, not quality. But it's up to you, taxpayers, to discuss, to debate, to listen, to demand hearings, because at the end of my speech—and it won't be today but another day—I'm going to be asking you to be demanding the kind of committee hearings that are deserved in order to have the accountability that you demand of governments. If you hold this government accountable, you will have to call them one by one and say, "We need public hearings in order to have our views heard." I will do that. I'll repeat that message as we come closer to the end of my hour—and it won't be today, it'll be another day. I'll invite people to the following session, which will probably be Monday. We'll continue this debate on Monday, I suspect.

How do we deal with governments that refuse to give those public institutions the support that is desperately needed? How do you deal with a government that continues to deny and deny—like the Minister of the Environment, Minister of Housing, Minister of Education, every minister imaginable in this place, where they stand up day in and day out and deny and deny every fact presented by the opposition. They say smugly, with their own prepared texts that those poor assistants have to prepare for them—they have the same prepared text to every question we ask. No matter how simple or complicated, their answers are always the same, framed in the same way. They will tell you over and over again, "We gave more money than you ever did and the other

opposition party ever did." They just say that over and over again, deny and deny and deny. That's all you get from this government. You would know, those of you who are watching this program, what I'm talking about. How often have you watched the Minister of the Environment, the Minister of Education, every other minister—post-secondary education—not answer questions? It's more than once—more than once. I'd venture to say 99% of the time they don't answer our questions. That ought to tell you something about the way this government behaves.

Interjection: That is baloney.

Mr Bradley: Not 99%; 100%.

Mr Marchese: Jim, you're quite right. Maybe I was too generous. Did I say 99%? I may have been a tad too generous. I've got to tell you, I shake my head in desperation every day when they answer questions; in desperation, shaking my head, wondering where these ministers are coming from, because it ain't planet Earth.

Interjection.

Mr Marchese: It is not planet Earth whence you come. You come from your own recesses, some aspect of some place on this planet, but it isn't here. It isn't here.

Interjection.

Mr Marchese: Mr Sampson, I'm waiting for you to do a two-minute rebuttal. You've got to be here on Monday, because I want to hear you. I want to see what you feel, what you think about private universities. I want to know. I want you to tell your good taxpayers how they're going to be able to get access so that they can send their children to Mr Sampson's desired post-secondary, for-profit university. I want you to hear him tell you how your son—you, taxpayer making \$50,000—is going to be able to go to this private university where tuition fees are going to be anywhere from \$40,000 to \$50,000. You, taxpayer earning \$50,000, supporting people like him, I want you to hear him. If he doesn't do his two-minute rebuttal, call him up and ask him what he thinks about access. I want to hear him. I know you want to hear him too. I'd love to hear each and every one of them speak to you directly about how this will give access to your children, to this niche for-profit institution, those who want to make a buck out of education.

This government slashed grants to post-secondary institutions from the very beginning when they came into office. For the last five years they've had so many billions of dollars, and they've given it away. In the last budget, they gave \$5 billion to—guess who? Did you, Mr Taxpayer, get the \$5 billion that was announced that's going to the corporate sector? Was the corporate sector on their knees demanding that you give them a few more bucks back because the economy was doing so well? If only these corporations had a couple of more billions of dollars, they could make the economy even better. Think about it, Mr Taxpayer, you supporter of this Conservative Party. They give \$5 billion away to the corporate sector that's been doing well for five years, but they have no money for post-secondary education. They cut that from the very beginning. No money for them, but \$5 billion for the private sector, for the corporate sector.

1750

My favourite one, the one I call the corporate bum—there are so many corporate bums—the real welfare recipient, the guy who sits at his desk making the billions of dollars on the stock market, these guys who are buying in the Bridle Path, the guys who are buying in Forest Hill—thank God, it's not in my riding. These are the people—

Interjections.

Mr Marchese: I don't know most of these people. These are the people making the millions of bucks just playing with their little computers, moving a little money around. This government says, "We're not going to tax you because you work so hard for your money on your little desk, just watching your little screen, moving money around. You work so hard that we're going to give you a tax break. So on up to \$100,000, we're not going to tax you anything." You, taxpayer of Ontario, are you getting the same tax break from these ministers and this government?

Hon Dan Newman (Minister of the Environment): Yes.

Mr Marchese: Oh, I see. The Minister of the Environment says yes. You working man, the one who supports this party, are you, up to \$100,000, not being taxed for your hard work? The Minister of the Environment says yes.

Interjection.

Mr Marchese: Then what did you say if you didn't mean that? I'm telling you that the corporate welfare bum who makes over \$100,000 doesn't get taxed on his first 100,000 bucks. How could you, Reform-minded voter, elect a government that takes your money and gives it to those who don't need it? How could you allow that? How could you vote for a government that continues to do that? I don't understand it.

I know the Minister of the Environment is likely to say, "I meant the tax cut" he gave you. You, Reform-minded supporter who only earned \$40,000, how much money have you seen back in your little paycheck? You haven't seen very much, but the guy making over \$80,000, in the \$90,000 range, \$100,000 range, gets back 12,000 bucks. It's not bad for a day's work.

The government says it's OK, that if the rich make more money, they'll spend it. It's good for the economy. If you, poor schlep, don't make enough, you get a couple of bucks back. You shouldn't whine about that. You can spend it however you like, in the same way that you must have just received your tax rebate of 200 bucks.

Interjections.

Mr Marchese: Oh, yes, that \$200 is going to go a long way to paying for the private university these people are going to bring in. With that \$200, you can rest as-

sured to have a place in that private university that these people are just bringing in. Two hundred bucks, alleluia, it's going to help you a lot.

You know what hurts me more? Speaker, I think I met your mom just the other day and I am sure she probably will agree with me that if she is on a fixed income—just ask her in case she doesn't watch the program, ask her whether she's getting the 200 bucks back. Those of you who are the most vulnerable, if you assume that \$200 is good to get back—speaking to the Speaker's mom, if you're on a fixed income, did you get your \$200 back? Because if you're on a fixed income, earning \$10,000, \$11,000, \$12,000, \$13,000, you're probably not getting a single cent. Not much. Speaker, just check it out for me because the members are so excited, they're sort of running through Hula Hoops out of excitement. But I'm looking for the response to that and to so much I have said.

Imagine, we've got billions of dollars and we just give it away to those who don't really need it. Mr Harris, the Premier, is trying to buy votes with a couple of hundred bucks. Then you've got the media coming around saying, "How are you going to spend your 200 bucks?" Instead of saying, "Do you find that this \$200 rebate is wrong fundamentally?" they ask you, "How are you going to spend your 200 bucks?" That's how critical the problem is. We're not asking critical questions. We're not being critical sometimes.

Two hundred bucks—seniors get nothing and we throw away one billion bucks. Think of that number. The banker here would know how much that number is. It's a big number, isn't it? A whole lot of zeroes, isn't it, one billion bucks?

Hon Mr Sampson: You know what's bigger? Eleven billion, \$15 billion is ever bigger.

Mr Marchese: One billion, imagine what we could do to help the environment, to help the most beleaguered member of this place, the Minister of the Environment. Not you, John. The Minister of the Environment, the most beleaguered, it could help you, if they could only free up a couple of bucks to help you out, but they're not even doing that. Ask him for some help. You could have said to them, "Don't give away this billion bucks. I need it because everybody's beating me up. Everywhere I go, they're going bam. I'm getting whacked left and right. Give me a couple of bucks, Premier. Help me out." Where are you, Minister? At least if you're going to help the community, help yourself out. You need the help.

Speaker, are you indicating that I—

The Speaker: Yes, I thank the member. It now being 6 of the clock, this House stands adjourned until 1:30 of the clock on Monday.

The House adjourned at 1757.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Kenora-Rainy River	Wetlaufer, Wayne (PC)
Brant	Levac, Dave (L)		Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care ministre de la Santé et des Soins de longue durée
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Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports		Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	Leeds-Grenville	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Durham	O'Toole, John R. (PC)		DeFaria, Carl (PC)
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Etobicoke-Lakeshore	Kells, Morley (PC)		
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Guelph-Wellington	Elliott, Brenda (PC)	Mississauga South / -Sud	
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Mississauga West / -Ouest	
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Hamilton East / -Est	Agostino, Dominic (L)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
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Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	Stoney Creek	Clark, Brad (PC)
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Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
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		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 97A

N° 97A

ISSN 1180-2987

**Legislative Assembly
of Ontario**
First Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 30 October 2000

Lundi 30 octobre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

ASSISTANCE TO FARMERS

Mr Steve Peters (Elgin-Middlesex-London): I rise to raise the issue of the Harris government's lack of commitment to the drainage maintenance-superintendent program. In what has been one of the wettest growing seasons on record for Ontario farmers, this government's inactivity is completely unacceptable. More than ever, farmers are in desperate need of proper drainage. This administration has failed to live up to its part of the agreement it shared with rural municipalities and the farming community.

When the government undertook a review of the program it was understood that this would not affect this year's funding. To date, nothing has been done. In a year when farmers all across Ontario have their backs up against the wall because of bad weather, record low commodity prices and constant pressures from globalization, this is unacceptable.

Once again, the government is putting its cost-slashing principles ahead of the needs of our farmers. Bills cannot be issued for maintenance or construction of these drains until there is word from the government on what the funding is and when it will be allocated. Municipalities and farmers are once again being served up as sacrificial lambs by an unfeeling government that reneges on its promises, all in a zealous desire to cut costs rather than maintain services. The municipality of West Elgin submitted a grant application in February of this year. They have heard nothing from this government.

The questions remain: where is the money and how will this delay affect the funding for 2000-01? It is time that this government recognize its responsibility to the farming community and rural Ontario. Inaction and delaying tactics are unacceptable responses. The time for action was months ago.

DIWALI

Mr Bob Wood (London West): I rise today to draw to the attention of the House that 800 million Hindus across Ontario and the world celebrated the festival of Diwali last Thursday. The celebration takes place No-

vember 4 this year in London. Diwali or Deepawali, the most pan-Indian of all Hindu festivals, is a festival of lights, symbolizing the victory of righteousness and the lifting of spiritual darkness. It commemorates Lord Rama's return to his kingdom, Ayodhya, after completing his 14-year exile. Twinkling oil lamps, or deeyas, light up every Hindu home in India, and fireworks displays take place across the country. The goddess Lakshmi, symbol of wealth and prosperity, is also worshipped on this occasion.

The festival also marks the start of the Hindu New Year. At this time, most Hindu homes worship Lord Ganesha, the symbol of auspiciousness and wisdom. Spring cleaning and decorative designs for homes are the order of the day. Family members come together to offer prayers, distribute candies and light up their homes.

I know that all members of this House will join with me in wishing Hindus across Ontario and the world a happy new year and a warm "Namaste."

GASOLINE PRICES

Mr Bruce Crozier (Essex): My statement is on retail gasoline prices.

In August 1997, when he was playing competition cop, Premier Harris said, "My own personal opinion is, they're"—the public—"being gouged." The Premier went on to say, "Ontario will do what it can to bring the oil companies to heel, including regulation of prices." The retail price of gasoline in August 1997 averaged 59.6 cents per litre.

In May 1998 the Harris consumer and commercial relations minister boasted, "We are gathering evidence to continue the fight against the price gouging of Ontarians." The retail price of gasoline in May 1998 averaged 52.4 cents per litre.

The retail price of gasoline in my area today is 74.7 cents per litre. The October 24, 2000, issue of FuelFacts, issued by MJ Ervin and Associates and Purvin and Gertz Inc., says:

"Gasoline

"Retail—Ontario pump prices rebound ...

"Wholesale—Rack prices jump up ...

"Crude—Crude prices rise and fall ...

"Furnace Oil

"Retail—Residential fuel oil prices rise ...

"Wholesale—Furnace oil rack prices increase ...

"Diesel

"Wholesale—Rack prices increase."

Premier Harris tells us he understands. I don't think so. The gauge reads empty of action. The Harris gauge reads empty of ideas and empty of leadership.

FEDERAL HEALTH SPENDING

Mr John Hastings (Etobicoke North): I rise today to take this opportunity to strongly urge the federal Grit government to immediately provide additional funding for Canadian health care in the amount of \$15 billion. The federal government should be a fully participating partner in medicare, and it should return to the 1991 funding level of at least 18 cents per capita, as opposed to their current spending level of 13 cents per capita.

The Grit government must acknowledge, as a starting point, that under the Mulroney administration the government subsidized medicare to the tune of 18 cents per capita while they had a \$40-billion deficit. Contrast that with the Chrétien administration, which supposedly has a 13-cent contribution but a \$60-billion surplus. Shame.

Even after the recently concluded agreement with the provinces, which incidentally doesn't click in until April 1, 2001, Ottawa under the current administration has a long way to go to once again become a fully participating partner in medicare.

When are the federal Grits going to realize that if they want to be the national guard of medicare standards under the Canada Health Act, they will have to pony up real money at the medicare table and back off those Grit values they're always talking about: compassion, caring, etc? Certainly 13 cents per individual will not cut it.

BORIS SPREMO

Mr Mike Colle (Eglinton-Lawrence): Today, one of Canada's, if not one of the world's, most distinguished photojournalists, a constituent of mine, Boris Spremo, retires after 37 years of covering everything from the war in Vietnam to the Beatles.

Boris has travelled the world photographing wars, drought, famine, the Olympics, the wedding of Prince Charles and Diana and her tragic funeral in 1997. His work has brought him nearly 300 national and international awards, including Canada's highest honour, the Order of Canada, in 1997.

Boris Spremo came to Canada in 1954 from his native homeland, the former Yugoslavia. For 37 years, he gave Canadians photographs that have portrayed people and events with timeless grace and empathy. Boris Spremo was able to capture, through his talented eye, the essence of historical figures like Robert F. Kennedy or historical events like Canadian peacekeepers in the Middle East.

Yes, there is an old Chinese proverb that says a picture is worth a thousand words. In the case of Boris Spremo, his photographs are worth a thousand emotions and a thousand memories that will always be with us.

Thanks to Boris Spremo, his wife and four daughters for 37 memorable years of pictures. Thank you, and all the best on your retirement.

1340

SNOWMOBILE LEGISLATION

Ms Frances Lankin (Beaches-East York): Speaker, you know that I represent the riding of Beaches-East York. It's a downtown Toronto riding, so you might be a little surprised that today I'm going to speak about snowmobiling and about the government's Bill 101 for mandatory snowmobile permits.

The reason I'm doing this is because I am a snowmobiler. I buy my permit every year from the local Restoule Snowmobile Club, now part of the South Shore/Restoule Snowmobile Club.

I want to say to the government that the snowmobile clubs and the Ontario Federation of Snowmobile Clubs support the concept of mandatory permits; they have for years. But they're very upset about the government's bill handing over the administration of that to the Ministry of Transportation, taking it away from the dedicated volunteers who, club by club, have built organized snowmobiling in this province.

Mr Speaker, you will know that organized snowmobiling brings in millions and millions of dollars of economic activity, particularly in northern Ontario. You would know that it would take just a fraction of that for the government to support these clubs. With the user-pay system, the trail permits only bring in about \$14 million a year. The hard cost of trail maintenance and operations is about \$20 million a year.

The government must step up to the plate. They must invest in the maintenance of world-class trails for the economic activity of the north, and they must withdraw the misguided attempt to hand over administration of what has been a locally built initiative to the Ministry of Transportation. I implore the government to rethink this issue.

GORDON B. ATTERSLEY PUBLIC SCHOOL

Mr John O'Toole (Durham): I think the member from Beaches-East York is actually up to something, and I support her on this.

Last Thursday night, I had the distinct privilege of participating in the official opening ceremony of one of the many new schools that have opened in my riding of Durham.

The Gordon B. Attersley Public School was named after the former councillor in the city of Oshawa. For 23 years, Gordon Attersley was involved in his community and worked hard for the interests of his constituents. As everyone in this room knows, getting involved in public service is a great honour, but it's very time-consuming as well. I think this particular honour which was given to Mr Attersley is one that speaks well of how he was

viewed by the city and the people of Oshawa. Although Mr Attersley is sadly no longer with us, I am sure his wife, Nell, and all of his children who were present that evening felt comforted and very proud that his accomplishments were recognized. I thought his daughter, Sonya, gave a very moving tribute to her father.

I'm glad to have this opportunity to congratulate the school's principal, John Howard, and vice-principal, Gary Wraith, as well as everyone who was involved to make the evening such a success. I particularly enjoyed the performances of the school's concert band, the primary, junior and intermediate choirs, and especially the school cheer, which was written by two of the school's students.

As MPP for the riding of Durham, I want to thank the over 525 students and 26 teachers who made the Gordon B. Attersley Public School opening one to remember and one I was very proud to attend.

QUESTION PERIOD

Mr Gerry Phillips (Scarborough-Agincourt): Mr Speaker, I have a proposal that I plan to send to you right now to speed up question period. You will know that most times when the opposition asks the government a question, the ministers spend a fair bit of time figuring out who they're going to blame, and I think we waste a lot of time with, "Well, the members of the public will be interested to know that really you should blame this or that."

We've prepared what we call the Harris Blame Somebody/Anybody Else Guide. It has a series of numbers on here, and rather than the government minister or the Premier going through the blame, he simply has to read off the number. What we have on here is a blame number and the description of the blamee.

As you can imagine, number 1 would be the dreaded federal Liberal government. Number 2 would be the previous Liberal governments, the one from 10 and a half years ago or the previous one from 57 years ago. Number 3 of course would be the dreaded NDP socialist government; number 4, those awful special interest groups—teachers, nurses, doctors, the taxpayers' federation; number 5, the union bosses, the teachers' federation president, the Ontario Federation of Labour president, the OMA president. Number 6 would be the left-leaning media. Number 7—and really a tip of my hat to Mr Wettlaufer, who last week pointed out that the Communist Party continues to be a significant threat here in Ontario, as he pointed out that someone who wrote a study on child care was a known member of the Communist Party.

Mr Speaker, I hope this will help speed up question period. We just need to know the number.

Mr John O'Toole (Durham): On a point of order, Mr Speaker: I've looked at the order paper for today and I think there's been an error; perhaps you should look into it. There's no mention of Doug Galt on here at all, and I'm quite disappointed.

The Speaker (Hon Gary Carr): I'm sure he'll figure out a way to get on.

SUTTON MEDICAL CLINIC

Mrs Julia Munro (York North): I rise today to talk about the real issues surrounding the Sutton Medical Centre, which is a privately owned clinic in Georgina. On September 22, I hosted a meeting to explore possible ways to increase access to doctors. In attendance were representatives from the town, the physicians, the hospital and the ministry. The Ministry of Health designated the town of Georgina as an underserved area for family physicians. Because of this designation, the town is eligible to receive special recruitment assistance from the province.

I made a commitment to explore possible sources of funding for our clinic, although it was made very clear that it has never been the practice of the Ministry of Health to provide special funding to privately owned clinics.

An alternative to the privately owned care clinic is a primary care network that would give residents 24-hour access to medical care. A primary care network could be established that would complement the full-service hospital, which is less than an hour away.

I am disappointed that the town rejected the chance to participate in the recent Ministry of Health physicians recruitment tour. I can't believe that there wasn't a single member of council or staff available to attend or that, if scheduling was the problem, the town wouldn't have approached me, Southlake Regional Health Centre or the business community for help.

I remain committed to working to find a long-term solution. I hope that in the future the town of Georgina will take advantage of the assistance that the province continues to make available.

INTRODUCTION OF BILLS

WYCLIFFE COLLEGE ACT, 2000

Mr Smitherman moved first reading of the following bill:

Bill Pr30, An Act respecting Wycliffe College.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 86(a), this bill stands referred to the Commissioners of Estate Bills.

MOTIONS

HOUSE SITTINGS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, October 30, Tuesday, October 31, and Wednesday, November 1, 2000, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

Mr Dave Levac (Brant): On a point of order, Mr Speaker: On June 22, I introduced Bill 107, Firefighters' Memorial Day Act. Since that time I've received tremendous support from citizens, fire chiefs and fire departments across the province. I've also written to all the members seeking their support for the bill. I'm now seeking unanimous consent for second and third readings.

The Speaker: Is there unanimous consent to proceed? I'm afraid I heard some noes.

VISITORS

Mr Steve Peters (Elgin-Middlesex-London): On a point of order, Mr Speaker: I'd like to take this opportunity—we have a young lady visiting us today from Berlin, Germany, by the name of Katharina Fiedler. Katharina is part of an exchange program and she's visiting the Legislature today with her hosts, the McPhail family. Duncan McPhail is the warden of Elgin county. I'd like the members to welcome Katharina and her hosts.

The Speaker (Hon Gary Carr): That's not a point of order, but we do welcome our visitors.

1350

ORAL QUESTIONS

HOSPITAL RESTRUCTURING

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the Minister of Health. We are facing a real, live and genuine emergency room crisis in many communities throughout the province of Ontario. One of the things I have recommended to you is that, finding yourself in this emergency room hole, the first thing you should do is stop digging. I specifically requested that you not close Wellesley hospital. Notwithstanding that, you did, and you told us last week in this House, and this is confirmed in your own press

release, that the new capacity of St Michael's is going to be 23,000 visits more on an annual basis than the existing two older sites were able to provide, Wellesley and St Mike's, before this amalgamation. Do you still maintain today, having had an opportunity to review this matter, that the new St Mike's capacity will be 23,000 more visits than the two older sites?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): To the Leader of the Opposition, we take our commitment to the emergency room pressures in this province very seriously. It's unfortunate that your government or the other government didn't take action. I'd like to refer back to a quote that I saw in the Toronto Star on April 4, 1998, which said, "A Star survey of Metro's 22 hospitals found many are so backed up with patients ... that hospital officials routinely plead with ambulance services not to bring them any more." I guess the problems that have existed for a long—

The Speaker (Hon Gary Carr): Order. The minister's time is up. Supplementary?

Mr McGuinty: I appreciate the tales from the previous century but I want to take you to just last Thursday. You told us in this Legislature that the new capacity—we've got a huge, pressing problem today in Ontario when it comes to our emergency rooms. This is a very serious question. You have done something specifically affecting two emergency rooms. You shut one down and you said you created more spaces, more capacity, at the new one. You told us specifically that there were going to be 23,000 more patients who could be accommodated at St Mike's new centre. Tell us whether that is right or wrong, whether it is true or untrue. It's a simple question.

Hon Mrs Witmer: We have acknowledged that the issue of emergency room pressures is a long-standing issue in this province. Unfortunately, when the Liberals were in office, there were no solutions. In fact, the situation was only made worse. Let me just quote. On November 10, 1986, Doctor Irv Freeman at Scarborough General Hospital said in the Toronto Star, "One of the major reasons for bed shortages is the number of beds being taken up by chronic patients who should be in special long-term facilities and not occupying active care beds." Despite this information, the Liberals in 1988 stopped constructing long-term-care beds. There were no new beds awarded until 1998, and we are now constructing 20,000 to help address the issue of emergency—

The Speaker: Final supplementary?

Mr McGuinty: It's obvious the minister is dancing around this very direct question because she is too embarrassed to admit that she made a terrible mistake. The fact of the matter is that the combined capacity in the new facility consists of four more beds than were there in the original two separate sites. If we were going to use four beds to accommodate 23,000 more patients on an annual basis, that works out to 16 patients every single day in these four new beds. I've heard of long-term-care beds, but I guess these are the new short-term-care beds.

I guess you're going to put egg timers on the side of each of those four new beds so they can accommodate fully 16 patients a day. When are you going to start giving us the straight, unvarnished goods when it comes to your responsibility and your failings in dealing with the emergency room crisis today in Ontario?

Hon Mrs Witmer: We are, and actually there are others who recognize this. I'd just like to quote from a recent article that says, "Imperfect though the health system may be, the government is taking steps to try to deal with the problems. Regrettably, when the health minister recently announced that another \$8.5 million would be spent on emergency physicians, the opposition parties seemed unable or unwilling to welcome this news. Liberal Leader Dalton McGuinty, for example, accused the government of tinkering around the edges of the emergency room problem. The Ontario Medical Association took a more reasoned approach. Its president, Dr Schumacher, said he was pleased the government had recognized the need to recruit and retain emergency room physicians. Schumacher also said that two years ago Ontario's health care system finally started improving again after"—

The Speaker: Order. I'm afraid the minister's time is up.

New question, leader of the official opposition.

Mr McGuinty: I have a new question for the same minister. Why don't you just admit you made a mistake? Twenty-three thousand was wrong. It was in the press release and then you said it again in this House on two occasions. It was wrong. You made a mistake. Your credibility is at stake here. You've told us in the past that ER visits are up in Ontario and that's the cause of the ER crisis. The fact is, visits are down, and the cause of the crisis is that there are no beds available in our hospitals because you cut them. You're telling us that the new St Mike's could see 23,000 more patients. We know today that is not the case. You told us that your budget was in order. We found a \$2.5-billion screw-up.

Minister, you tell us now: why is it that you keep telling us one thing when the facts demonstrate something entirely different?

Hon Mrs Witmer: The member opposite knows full well that the information he is presenting is not accurate. However, the one piece of information I can share with this House today is the fact that since 1994-95 the federal government is spending \$1 billion less than they were—

Interjections.

The Speaker: Order. Minister, take your seat. Order. Minister of Health, continue. Sorry.

Hon Mrs Witmer: Ever since 1994-95, our government has been working very hard to ensure that we increase health care funding, which we have from \$17.6 billion in excess of \$22 billion, all without the help of the opposition party, which refused to encourage the federal government to restore their share of funding. Why they refused to do so I have no idea.

Mr McGuinty: Minister, you tell us that you've been working hard. You have been working hard. You've been

fumbling about and then trafficking in fictions when it comes to your real record. That's what you're doing.

Take a look at how you fumbled the health care file here in Ontario. You fired thousands of nurses—that cost us hundreds of millions of dollars—and now you're rehiring them. You closed thousands of hospital beds prematurely and now you are reopening them. For years you denied that we have a doctor shortage problem in Ontario and now you are scrambling to expand medical school spaces. You started all of these fires and now you are scrambling to put them out. It looks like some kind of a fire drill organized by arsonists.

I'm going to ask you, Minister: do you not agree that you not only have a credibility problem but that you now have a real and genuine competency problem because of your gross mismanagement of the health care file in Ontario?

Hon Mrs Witmer: The only person with credibility problems is the Leader of the Opposition. For five to six years in this province that party allowed the federal government to decrease the CHST and did nothing to support the people of this province in order to access that additional money. Up until now the federal government has still not restored the funding—

Interjections.

The Speaker: Minister of Health, take a seat. The member for Windsor West, come to order, please. The Minister of Health.

Hon Mrs Witmer: Even today, with the new agreement that was reached between the federal and provincial governments, there has been no restoration of the CHST despite the fact that the federal government appears to have a huge surplus, and we won't see any money until April 1, 2001. In the meantime, our government has increased health care funding each and every year since 1995, from \$17.6 billion to \$22 billion.

1400

Mr McGuinty: With you, Minister, it's always somebody else. It's either got to be the federal government or the doctors or the nurses, or the problem is even with the patients, because just too damned many of them keep showing up at our emergency rooms. The fact of the matter is, you are failing us. On your watch we now have more cancelled and delayed surgeries than ever before. We have more ambulances being turned away than ever before. We have more communities without doctors than ever before. We now have the fewest nurses per capita in the country. Except for Yukon, we have the fewest acute care hospital beds in the country, and we are sending more patients south of the border for treatment than ever before. Minister, you are failing us.

Tell me why—tell Ontarians why—we should have any confidence whatsoever in your ability to manage this very important file?

Hon Mrs Witmer: If anybody in this province is failing the people of Ontario, it is the Leader of the Opposition. He had a chance to take action and ask the federal government to restore the money. He had an opportunity to deal with the restructuring of our hospital

system and ensure we constructed hospitals that would become centres of excellence to respond to the growing needs of our aging population.

We were the ones who set up the nursing task force in this province. In fact, if the Leader of the Opposition thinks the problem of nursing shortages, doctor shortages and emergency room pressures is unique to Ontario, he's obviously not doing his reading. When we met with Mr Rock and my provincial and territorial colleagues at our most recent meeting in Winnipeg, this is a nationwide problem we're all trying to address. Why won't you—

The Speaker: New question.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of the Environment. When your Premier finally accepted demands for a public inquiry into the Walkerton tragedy, he promised, "It will be a full, open and public review of what went wrong and why."

He agreed, "The Ontario public demands answers."

The reality today is that a citizen of Ontario who wants to learn what is happening at the Walkerton inquiry has to pay \$200 a day for the transcripts. If they want to know what happened last week, they have to pay \$1,000 for the transcripts. This is supposed to be a public inquiry for the people of Ontario. Instead, you're turning it into a pay-per-view scam.

Minister, why is your government preventing the citizens of Ontario from having full access to the evidence at the Walkerton inquiry? What is your government trying to hide?

Hon Dan Newman (Minister of the Environment): I'll refer the question to the Attorney General.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): If charges are being levied for transcripts of the Walkerton inquiry, that's a matter I'll look into. I'll consult with counsel and get back to the member opposite about it.

Mr Hampton: How can you not know this? We've been questioning your staff and the Ministry of the Environment staff and we get the same answers from them that we get from you: stonewalling. You pretend you don't know about it. This is a well-known fact. The legislative library can't get copies of the transcripts. Do you know that members of this House can't get copies of the transcript unless we pay \$1,000 a week? This isn't a public inquiry; this is abuse of the Legislature and abuse of the citizens of Ontario. This is a cover-up. Don't tell us you don't know what's going on. What are you going to do about it? Is this an open inquiry or another scam by the Conservative government?

Hon Mr Flaherty: I think the member opposite must know that the proceedings at Mr Justice O'Connor's inquiry are publicly telecast. They're hardly being covered up. They are open—

Interjections.

Hon Mr Flaherty: They are open, they are public, they are accessible to the people of Ontario.

I understand the member opposite's concern is about the cost of transcripts. That's not something that has been raised previously. I'll look into that and get back to the member about the cost of transcripts.

Mr Hampton: The legislative library, which is supposed to be an accountable source of information for members of this Legislature, cannot get copies of the transcripts without paying \$1,000 a day. A citizen of Ontario who wants to find out who said what at the inquiry, who wants to be able to examine what kind of evidence was entered at the inquiry has to pay \$1,000.

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Order. Government bench, come to order, please. I can't hear the questions. The member from the third party is down at the end. I can't hear him.

Sorry for the interruption, the leader of the third party.

Mr Hampton: Somebody who wants to follow the transcripts and wants to find out what was entered in evidence has to pay \$1,000 a week, and what is the answer we get from the Attorney General? The Attorney General's answer is, "You can watch it on television and hope to pick up whatever you can follow."

Mr Attorney General, you were the one who said this had to be a full, open, fair public inquiry. You were the one who said, and I can quote you, that all of the information had to be presented to the public. Why, then, has your government put in place a situation where people have to pay \$1,000 a week just to know what was entered in evidence and what is going on?

Minister, this is an insult to the Legislature and an insult to the people of Ontario. What are you going to do about it, and when are you going to do it?

Hon Mr Flaherty: As the member opposite may or may not know, if he's been following the inquiry, the commissioner, Mr Justice O'Connor, has made recommendations to the Attorney General about funding for various groups that are being represented at the commission of inquiry. Those recommendations have been followed, and many persons are represented at the inquiry. Those decisions are made by Mr Justice O'Connor. Certainly they're following on with respect to the proceedings.

In terms of the transcripts, I've indicated to the member—and he doesn't seem to want to take yes for an answer—that I'll look into it and get back to him.

ONTARIO DISABILITY SUPPORT PROGRAM

Mr Howard Hampton (Kenora-Rainy River): My next question is for the minister responsible for the Ontario disability support program, a program that is in big trouble.

This is a survey of the people in ODSP who work very hard to help individuals who are disabled or developmentally handicapped. This survey shows that 86% of all

the front-line workers in the disability support plan said your so-called new team concept of handling ODPSP cases, of dealing with the disabled, doesn't work.

They describe a system that is in utter chaos, with no tracking, a chronic shortage of staff, no leadership, no clear responsibility for tasks and too many mistakes, and most of all, too many disabled and handicapped individuals not getting the service they deserve.

Minister, why are the disability support offices in such a sad situation under your watch?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): We set out a number of years ago to create an income support program for people with disabilities. We established that in 1998 with the support of the party of the member opposite. We realize that we can constantly do more to improve the delivery of government services.

The member cites a report. It's a report we've seen, and we're working on implementing much of the information contained in it. The member opposite will want to be honest with the House and tell people that it's a report from the Ontario Public Service Employees Union, a union that I wouldn't characterize as a supporter of the government.

In March 2000 we launched a business process review of this program, and we're working at improvements to the process.

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Ms Shelley Martel (Nickel Belt): Minister, this report was prepared by the front-line staff who deal with the disabled every day. If you've got a problem with their work, maybe you should say so publicly.

Minister, the question was, why are your offices in such a state of chaos? You obviously don't understand the severity of the problem: 86% of the staff reviewed said your team concept case management system is a total failure. The overwhelming number of offices still have temporary or permanent vacancies instead of permanent staff. A majority of the staff has seen office closures in all of their regions, which means the disabled don't have access to front-line services, and most of the offices continue to use temporary agency staff, so there is no continuity at all for the disabled.

Minister, things are so bad that Bob Eaton, who is the union president and also the co-chair of your ministry's employment committee, actually called your office and requested a meeting between you and the front-line staff who deal with the disabled to see how this situation could be resolved. You turned him down flat. The question is, why are you refusing to meet with the front-line staff who deal with the disabled in this province every day so you can find a solution to this chaos?

Hon Mr Baird: I regularly meet with staff at the Ministry of Community and Social Services. In fact, this summer I went to the leader of the third party's constituency and met with employees of the Ontario disability support program in his own riding in Kenora, and I learned a terrific amount.

There are obviously concerns about how we can better deliver the program. As usual, we listened and are working through a review process to help identify better ways of delivering the program. We have no objections whatsoever to meeting with staff to learn their views.

DOCTOR SHORTAGE

Mr Dwight Duncan (Windsor-St Clair): I have a question to the Minister of Health. From Windsor to Wawa, we are experiencing a severe physician shortage in this province, a problem that according to demographers and health care experts is going to get worse rather than better as time goes on. In southern communities there is a shortage of 335 doctors. In July 1999, you appointed Dr McKendry to do a fact-finder. He made a number of recommendations to you, including 110 new medical school spaces, which you in turn gave to Dr Peter George and an expert committee to make recommendations on.

Minister, is it your view that 110 new medical school spaces will be enough to provide for increasing demand for medical services in the coming years?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I think that's a very good question the member opposite has asked, and I know he is interested in that issue. That's exactly why we have asked Dr Peter George and the expert panel to do an analysis to determine whether or not that would be sufficient to respond to the needs of people in this province, not just in the immediate term but in the long term as well. We need to be able to identify, as well, the mix of specialists we're going to require, based on the needs of our population.

Mr Duncan: In Ontario today, with a population of 11.5 million people, we have 532 first-year medical school places. In Quebec, with a population of 7.3 million, they have 521. In the state of Michigan, with 9.8 million, there are 657 first-year medical school places. In the state of Ohio, with almost an identical population to Ontario, they have 981 first-year medical school places. In Illinois, with a population of 12 million, they have 1,064 first-year medical school places.

The evidence is overwhelming. The Canadian Medical Association has called upon all Canadian governments, all Canadians provinces, to increase the enrolment of medical schools from roughly 1,500 a few years ago up to 2,500. If we fail to do that, the crisis today will become a catastrophe in five years.

You put both commissions on a relatively short leash with respect to what they can and cannot recommend. Will you today acknowledge that this province needs at least 170 and probably 250 new first-year medical school placements, not just to address short-term issues but, more important, to ensure that today's crisis doesn't become a catastrophe? Will you go on record that way?

Hon Mrs Witmer: The issue of having the adequate number of health professionals in Canada is a number one concern for every province and territory in Canada.

Again I would mention that it was a key point of discussion at the recent FPT conference in Winnipeg.

I just want to assure the member that we are working collaboratively with our partners from coast to coast, because there's no point in British Columbia stealing from us or vice versa. We are of course working with Dr George to see what number he will recommend.

I think the reality is that we know we need more physicians. We need to distribute those physicians in a way that responds to the needs of people no matter where they live in the province, and we need to ensure we have the appropriate number of specialists. So we are moving in that direction.

EDUCATION REFORM

Mr R. Gary Stewart (Peterborough): My question is for the Minister of Education. I recently had the opportunity to meet with students from various schools from both boards in my riding of Peterborough to hear their feelings about the changes to the education system. These students are frustrated, they are concerned, and they do not know the facts about education change. One of the students asked me how the recent reforms to education were going to make the system more accountable.

Minister, what has this government done to make itself more accountable for the reforms and decisions it has made?

Hon Janet Ecker (Minister of Education): I'd like to congratulate the member for Peterborough for the efforts he's taken in his community to continue to meet with students, to hear their concerns, to offer to take up those questions, both publicly and otherwise, with the government to make sure they have the information they require so they themselves can judge what is happening.

I've had a number of meetings myself with students, student representatives and trustees. I must say that the quality of those young people does give us all hope for the future.

One of the things we think is very important is that we set those high standards for quality in the education system and that both ourselves as the provincial government and school boards are held accountable for making sure those quality standards are indeed implemented in the appropriate way. That's why we brought in legislation to clearly give information about where dollars are going, how they're being spent and how they're being used to improve education in this province so that parents and students can judge how successful we're being.

Mr Stewart: I'm certainly glad to hear the government is meeting the commitment to the students of Ontario. I guess the concern I have for the students, and the parents as well, is that when they are trying to do something themselves within the education system, obstacles and roadblocks are being put up in front of them. I'm certain my constituents will be happy to hear

the government has indeed made real strides in reforming the system.

Minister, you told us how we're making the education system more accountable. Can you tell my constituents and other concerned parents across the province what the government is doing to make the system more accountable to those folks called parents?

Hon Mrs Ecker: As the honourable member said, those folks called parents are very much key partners in education, as they should be. While the Education Accountability Act does set out some clear standards that school boards have to meet—it does require that clear information is out there for parents—we are also making sure their voice is heard through school councils. The regulations spell out very clearly that they have advice that needs to be listened to by principals and school boards, and that principals and schools should report back to those parent councils, those school councils. They have the power to set policies on dress codes and uniform codes, to help develop the selection criteria for principals, to work with the board on improvement plans for each school, and to set local policies on a range of things. Their role is very important.

We are taking additional steps, also by law, to ensure that we, as the government, have an obligation to report back to school councils on a—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

HEALTH SERVICES IN OTTAWA-CARLETON

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Health. It concerns a real issue for people not just in Ottawa-Carleton but in the Ottawa Valley, and that issue is timely access to medical-surgical beds at the Ottawa Hospital.

Minister, you will know, because I understand that in recent days you have met with officials at the Ottawa Hospital, that the Ottawa Hospital has, by conservative estimates, 13% to 15% of its medical-surgical beds tied up with alternate-level-of-care patients. This is causing a very real problem. I, as a member from the Ottawa Valley, like a number of my colleagues from Prescott-Russell, Cornwall and other members in Ottawa-Carleton proper, am encountering more and more constituents—some, in my area, coming from two hours away—who, after a couple of days of preparation for surgery, are getting to the door of the Ottawa Hospital and being turned away because they cannot access those medical-surgical beds.

1420

Specifically, Minister, can you tell the patients in my constituency, in communities like Renfrew, Eganville, Pembroke and Deep River, what measures you are going to take this fall to relieve the problem that is causing so many of these needy patients to be turned away from the

Ottawa Hospital because they simply cannot get to the medical-surgical beds that they absolutely require?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Thank you very much for the question. I did have the opportunity a couple of weeks ago—precisely two weeks ago, I think—to meet with officials in Ottawa concerning some of the issues that have been raised by the member opposite. Obviously, we need to ensure that the surgeries that have been scheduled are able to proceed.

The member probably is well aware of the fact that for 10 years in this province, we did not see the awarding of any long-term-care beds. Unfortunately, despite—

Interjections.

Hon Mrs Witmer: Maybe the opposition doesn't want to hear this.

Unfortunately, it has meant that we do have a backlog of older people in particular who are looking for access to long-term-care beds. As the member knows, we did announce in 1998 that we would be constructing 20,000 beds over eight years. We've expedited the timeline—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary?

Mr Conway: Minister, you will know, because the Ottawa Hospital is making no secret, that in their view your Health Services Restructuring Commission overdid the cuts and underestimated the growth pressures not just in Ottawa-Carleton but across eastern Ontario. They will have told you that they have today 130 beds tied up with alternate-level-of-care patients, where just a few months ago it was only 85. This is before the flu season arrives. Minister, when that flu season arrives, the Ottawa Hospital is simply going to be crushed under the weight of these pressures.

If one reads the editorial pages, the letters-to-the-editor pages in the Ottawa press, to say nothing of the Ottawa Valley press, you can see daily the human tragedy that is out there: people, young, middle-aged and elderly, coming from Sandy Hill and Vanier, from the Upper Valley and the Lower Valley to get to the Ottawa Hospital, in some cases after a couple of days of preparatory work, a 71- or a 75-year-old woman from the Upper Ottawa Valley going through all of that, getting to the Ottawa Hospital and being told, "We have no bed for you. Go home. We have no idea if or when you're going to be able to be dealt with."

For those patients in this need now, what are you prepared to do? Are you prepared, for example, to put some transitional ALC beds into the national capital in the next few weeks so that these patients can be dealt with?

Hon Mrs Witmer: As the member has indicated, this certainly is an issue that needs to be addressed, and that's why I personally took the time to meet with the officials in Ottawa. We are continuing to move forward with the input we have received. As you know, we've put considerable money into the Ottawa hospitals over the last number of years. In fact, the money we have approved for capital expenditures also is well ahead of

what has been recommended by the Health Services Restructuring Commission. It would be our intention to move forward and respond to some of these issues. I can assure you that we are doing exactly that.

COMMUNITY SAFETY

Mrs Tina R. Molinari (Thornhill): My question is for the Solicitor General. It has to do with something very important to the people of Ontario, and that is safety in our communities. The people of Thornhill have consistently told me that they take the issue of community safety very seriously.

This weekend I have been door to door talking to the people of Thornhill, and besides being very happy for receiving their \$200 cheque, they all believe that community safety should be one of government's top priorities.

Minister, I know that community safety is one of this government's top priorities. Our Blueprint commitment to increase public safety is something that we will continue to live up to. The constituents of Thornhill are very pleased with some of our initiatives, such as improving public safety through the Sergeant Rick McDonald Memorial Act, which increases penalties on criminals who take reckless flight from police; our government's passage of Christopher's Law, creating the first sex offender registry in Canada; and the dedication of the Ontario Police Memorial to honour police officers who have died in the line of duty. In closing, Prime Minister Jean Chrétien cut Parliament short last week, sooner than any—

The Speaker (Hon Gary Carr): Order. Your time is up. Solicitor General?

Hon David H. Tsubouchi (Solicitor General): I actually caught a key word at the end of the question, which was Jean Chrétien's calling of the election. When Jean Chrétien called the election after the shortest majority government in close to 90 years, many important bills died on the order paper.

Let's talk about one that is important to all of us. If we remember back when Justice Minister Anne McLellan was sworn in when the government was formed, she said that her number one priority was reform of the Young Offenders Act. We know what happened to Liberal promises like that. Nothing happened.

When my colleagues Jim Flaherty, the Attorney General, and Rob Sampson, the corrections minister, asked to appear before the standing committee on justice and human rights to address Bill C-3, guess what happened?

The Speaker: I'm afraid the minister's time is up. Supplementary?

Mrs Molinari: Thank you for the answer. I believe that all the investments and initiatives by our government are helping to make our streets safer. In my riding of Thornhill we have been providing York Regional Police Service with the tools they need to fight crime. Since 1995 our government has given York Regional Police Service almost \$150,000 for their Reduced Impaired

Driving Everywhere program. We have also given York Regional Police Service over \$1 million for our Partners in Community Safety, community policing/enforcement grant.

I would like to tell the House today that the York regional police decided to continue using the helicopter as one of their crime-fighting tools, having secured a partnership with the private sector. During the last provincial election we made it clear where we stand. We promised that when re-elected, our government would continue to make the investments to support our justice system.

The Speaker: Order. The member has had well over a minute.

Hon Mr Tsubouchi: I guess we can't hear enough about justice issues. I'd like to thank the member from Thornhill. Let's look at some contrasts here. In Ontario what we have is a program called community policing. This \$150-million program allowed 1,000 net new officers to get on the streets of this province. Let's look in contrast federally. The RCMP, a well-respected organization across the world, is about 2,000 officers under complement.

Let's look at another example, Christopher's Law, which is a credit to this Legislature. All parties agreed to this important legislation, which is a sex offender registry. This came out of a tragic situation over 10 years ago when Christopher Stephenson was killed. Clearly, out of tragic situations some good must come, but that was 10 years ago. We saw fit in this province to do something about it. We believe, as did the jury believe, that the federal government should act to have a federal sex offender registry.

KING'S HEALTH CENTRE

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health with respect to the King's Health Centre fraud scandal and to what extent, if any, the alleged fraud involves public health dollars, OHIP dollars. You'll know that the King's Health Centre was promoted as an entrepreneurial dream. Ron Koval set up the King's Health Centre to profit from Ontario's health insurance plan. He played the public-private game. His operation profited from Ontario public dollars while fast-tracking wealthy patients and providing deluxe service for those who could pay.

We know that the OPP and Interpol are investigating Mr Koval, and there is a lot of talk about how he appears to have defrauded investors. But today I would like you to tell us, what do you know about to what extent, if at all, the King's Health Centre defrauded the public of Ontario?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Any fraud in the province of Ontario is investigated by a dedicated health fraud squad that is under the operation of the OPP. I can assure the member that it is that squad which has been specifically dedicated

to that task which follows up on any of these cases where there is a need to do so.

1430

Ms Lankin: Minister, we know there are investigations underway. We know that the police are pursuing Mr and Mrs Koval. I asked you what you know about it. As Minister of Health, I can tell you, sitting in that chair with this going on, I wouldn't have let a day go by without asking for an update in terms of whether or not any of the allegations of fraud involved OHIP health dollars. Surely you should be able to tell us that.

The bottom line is that you and your government have played footsie with Mr Koval and his private entrepreneurial dream for a number of years now. We know they've been pushing the boundaries of medicare and they've been pushing for privatization, and you seem to have been willing partners in that.

We have this alleged fraud here. We know they are fleeing the justice authorities at this point in time and we know there have been some suggestions that it also involves fraud of OHIP dollars. I'm asking you to what extent, if any, the public was defrauded. If you don't know, as the Minister of Health, why haven't you asked the questions to find out?

Hon Mrs Witmer: I don't know if the member is aware or not, but the Ministry of Health does not provide any direct funding to the centre. I would also just remind the member that it was our government that put in place this dedicated team of OPP officers in order to investigate fraud. In fact, we take fraud very seriously, and I can assure the member that those individuals, the OPP dedicated fraud squad, are investigating all situations related to fraud.

WATER QUALITY

Mr James J. Bradley (St Catharines): I have a question for the Minister of the Environment. We learned, of course, and a lot of people knew, that Ontario's drinking water now is threatened by more than 100,000 old wells that allow manure, chemicals and other surface contaminants to rapidly poison the groundwater. The Ministry of the Environment, your ministry, used to have a dedicated team of well inspectors who received complaints directly and had the job of enforcing the well-plugging rule. Over the past decade the unit has been reduced from five to about one person. Retired inspector Cliff Faulkner says it's an enormous problem. Well inspectors used to assess the construction and safety of new and problem wells. During these routine field inspections they would discover abandoned wells, well owners were told how to fix the problem and a field order was issued. The inspector would follow up. "Now that the inspectors are gone, nobody knows how bad the situation really is," says Faulkner.

He lobbied your ministry and got no response. The groundwater association lobbied your ministry and got no response. Minister, we have a potentially catastrophic problem with old wells in this province. We know about

the problem, after Walkerton in particular. Will you now commit to re-establish the team of inspectors and to put the money back into the Ministry of the Environment that will enable them to deal with the catastrophic problem in this province?

Hon Dan Newman (Minister of the Environment):

Groundwater in Ontario is indeed a very precious resource on which all Ontarians should be able to depend, and this government is committed to safeguarding our groundwater. Wells that have not been properly abandoned not only pose an environmental risk to our groundwater but they also pose a safety risk to small children and animals where those wells might be. As has been the case for over 20 years, properly plugging and abandoning wells is the responsibility of well owners. Should a well owner fail to properly abandon their well, they could be charged under regulation 903. First-time offences carry an individual fine of up to \$20,000 and second-time offences of up to \$50,000 in that regard.

With respect to staffing levels, the issue the member for St Catharines raised, he should note that well inspectors began to be phased out in 1985. In fact, the individual he spoke of retired from the ministry in 1989, when the number of inspectors went from two—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up.

Mr Bradley: You have what has happened in Walkerton. You like to blame the federal government, blame previous governments, blame some environmental group. There is the potential for a catastrophe to take place in Ontario because of what we're finding in those wells today.

I went to one of your photo opportunities today. I thought it was going to be an important announcement; instead it was a reannouncement of \$2 million a year to your conservation authorities, that you cut first of all by 70%, then by another 20%. Now you're dribbling a little bit of money back. Even the former Conservative candidate in Thunder Bay, who heads up the conservation authorities, described your step as a first step, as a minor step.

I'm asking you the question: can you guarantee the people of this province today that their well water and the groundwater will not be contaminated by abandoned wells which have such things as manure, garbage and dead animals in them, and what specific and extensive action are you prepared to take to ensure that this does not happen?

Hon Mr Newman: When the ministry staff responds to complaints about abandoned wells, the investigations and enforcement branch is notified. That branch of the ministry may consult with our well inspectors for specific expertise or in some cases the well inspector will be called in to testify in a court proceeding with respect to that.

But again, going back to the staffing levels that the member for St Catharines spoke about, staffing levels for well inspectors began to be phased out in 1985. We're

not blaming anyone; I'm simply stating the facts. In fact, in 1989 the individual he alluded to retired from the ministry. The number of full-time well inspectors in the Ministry of the Environment across the province went from two to one. In fact, today, at the announcement of the groundwater strategy and the monitoring, this is what Conservation Ontario chair, Rick Potter, said: "The Ontario government is moving in the right direction. We, on behalf of Ontario's 38 conservation authorities, are pleased to be part of this partnership."

ENERGY COMPETITION

Mr Frank Mazzilli (London-Fanshawe): My question is to the Ministry of Energy, Science and Technology. The Energy Competition Act was passed two years ago, yet we're still awaiting the electricity sector's opening. I would like to know if new investments are coming to Ontario, considering the market has yet to open.

Hon Jim Wilson (Minister of Energy, Science and Technology): I thank my colleague from London-Fanshawe for the question. We're very pleased with the extent of electricity generation investment that we've seen prior to market opening, some \$3 billion, a record for this province and indeed any jurisdiction in North America at this point, in deregulation or opening of a market situation.

Two plants that are being proposed, one in Brampton and one in Mississauga, will be the largest of their kind in North America: one 800-megawatt plant in Brampton and one 800-megawatt natural-gas-fired plant in Mississauga. Those are the largest of their kind. That's about \$1 billion worth of investment right there by Sitrith Inc.

Last Thursday the Premier and I toured the new Sudbury district energy plant, and I know the Minister of Municipal Affairs has toured that before. It's something that Bill 35 made possible. Prior to the Energy Competition Act, it was illegal to sell your own power to willing customers on the Ontario grid.

Mr Mazzilli: There's no question that \$3 billion is quite an investment that will certainly help our environment and our economy, not to mention give customers a choice. Minister, I'm interested in knowing how many jobs that investment will translate into.

Hon Mr Wilson: Just to continue there and mention the jobs, there are also plants being built in Sarnia, Thorold, Windsor and Toronto, new hydro facilities in Peterborough and Quinte. Last year I opened the new cogeneration facility using biomass, methane, off the landfill site in Waterloo, and there are similar plants being built in Toronto and Thunder Bay.

With respect to jobs, an example would be the TransAlta Sarnia cogeneration plant, a \$400-million investment, well on its way to being built, which will provide 430 megawatts of power. It will create about 320 construction jobs over the next 10 months, an additional 185 construction jobs over the next 21 months, and 50 permanent jobs in the plant. Add the other plants that I

mentioned and we have a total to date of 3,000 construction jobs over the next couple of years and 300 permanent jobs in the province, just in the electricity sector, just in the generation part, and that's before the market opens.

1440

ONTARIO DISABILITY SUPPORT PROGRAM

Mr Ernie Parsons (Prince Edward-Hastings): My question is for the Minister of Community and Social Services. About a year ago your ministry gave funding to the Ontario March of Dimes to pay for the home and motor vehicle modification program. This is a program that obviously should and has removed barriers for people with disabilities.

Nancy Andres is in a wheelchair. She and her husband farmed in St Catharines for many years until this past summer when, because of the terrible weather, they lost their farm.

They've been forced to move. The home they were in was wheelchair-accessible. They've been able to scrape up enough money to build a new home. Naturally, they applied for assistance through the home and motor vehicle plan that your ministry supports. They qualify under the financial, but they disqualify because of a very short-sighted condition in the program. Your program requires applicants to be in the residence for a period of three years before they can apply for modifications.

Think about that. Obviously Nancy requires the accessibility to move into it. To move into it now with it modified would cost \$12,000-and-some dollars. If she waits until she's been in three years and has to have it retrofitted, it will be \$36,797.

Minister, there's an easy solution for Nancy and all of the other people in Ontario facing this challenge. Will you assure Nancy and will you assure the people of Ontario that you will immediately change the three-year rule so that people can have the home modified when it is being built or they can have it modified before they move in so they have access to their home?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): This government kept its commitment to maintain a home and vehicle modifications program for adults as we did under the vocational rehabilitation services program. We expanded eligibility for the program. We provided more funding for the program. We want to do the very best we can for people with disabilities to live independently, whether it's through a home or whether it's through vehicles.

The member opposite has brought forward a concern. I'd be very happy to take it back to the ministry and discuss it.

Mr Parsons: Minister, I have bad news for you. On October 20 of this year, the Ontario March of Dimes was forced to advise the public that, due to the high demand

for the home and vehicle modification program, they will not accept new applications until April 2001 at the earliest.

They are simply out of money, not because the money was misspent, but because there are far more people with disabilities than you are aware of. This is understandable on their part. But, Minister, it's your ministry that administers the Ontario disability support plan. Your ministry should have been aware of the numbers of people in Ontario with disabilities and been able to properly fund the amount of money needed so they can have access to their homes.

Given the shutdown of the program, something is wrong. Minister, will you commit today to properly fund the home and vehicle modifications program?

Hon Mr Baird: Indeed, we're a victim of our success. It's a great program that's helping more and more people with disabilities live independently in their communities.

Can we do more for people with disabilities? Yes. That's why this year we've increased the budget by 25%.

ENVIRONMENTAL PROTECTION

Mrs Brenda Elliott (Guelph-Wellington): My question today is for the Minister of Agriculture.

Minister, last week the Ontario Farm Environmental Coalition announced that the Ontario environmental farm plan would soon be winding down. They claim this is because of lack of funding. This is worrisome. The program has been a success in making farmers more aware of potential environmental concerns and in helping them make their farming practices easier on the environment.

Minister, is this claim accurate? What do you know about the environmental farm plan, and has this program worked here in Ontario?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I want to thank the member from Guelph-Wellington for the question and for raising this important issue.

As the member said, the environmental farm plan has been a very successful program that our government has been proud to be part of. The program has been run for seven years by farm organizations in order to raise awareness of environmental issues with farmers and to help by providing for projects that are needed to implement the environmental farm plan.

More and more farmers each year are buying into the program, with over 18,000 farmers having participated in the program and with more workshops being scheduled for this fall, which will increase the number of farmers involved by 3,700.

The environmental farm plan program continues to be an incentive for farmers to invest in their operations. For example, records show that farmers are spending \$3 of their own money for every dollar invested by government. We think it's a very successful program.

Mrs Elliott: I'm pleased that you're supportive of the program, Minister, although to be honest, they are saying

they're not going to have enough money to run their programs come next spring. They say they believe they may even have to cancel their spring workshops.

Now, in my own riding I've visited many farms that very specifically benefit from this program. They've instituted projects to deal with manure management, to protect their waterways, and the \$1,500 incentive program has indeed been very valuable money invested in farms.

Minister, has our government's position changed on this program, and are we going to continue to support the environmental farm plan?

Hon Mr Hardeman: Thank you again to the member for the question. I want to reassure the member that Ontario's role in the environmental farm plan program remains unchanged. We continue to support the program, as we have since its inception. The federal government has supplied the program with administration, delivery and incentive funding for the life of the program.

Unfortunately the money has run out and the federal government is not renewing the funding for the program. Our involvement stays the same. OMAFRA provides staff to give technical advice and help the Ontario Soil and Crop Improvement Association at the workshop sessions. The ministry has dedicated resources to lead the revision of the program workbook to produce a third edition.

In addition to our commitment to the environmental farm plan program, my ministry has made rural water quality issues a priority through our healthy futures for Ontario agriculture program. We have many exciting programs, both received and approved, and we are looking for many more to improve the rural environment and the rural water quality in Ontario.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a question for the Minister of Health regarding her government's ongoing discrimination against northern cancer patients. Your Premier is a tough guy when it comes to telling the media that southern Ontario cancer patients are being discriminated against, but he's gutless when it comes to telling northern cancer patients that to their faces.

Last Thursday night the Premier refused to meet with 50 northern cancer patients who wanted to tell him how much they have to pay out of their own pockets to access cancer care. He was at a big Conservative fundraiser, he was 20 feet away in the same hotel and he couldn't spare five minutes to come and talk to them about this serious matter.

The question is, Minister, why was your Premier afraid to meet with these northern cancer patients?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Since I was not present I'm not in a position to make any further response, other than to say that the two travel grant programs that we have in this province are each different. The northern health travel grant is permanent and applies only to people in the

north, and the one that is there for cancer re-referrals is available to any person in the province, no matter where they live, if they are re-referred from their home site for either prostate or breast cancer radiation.

Ms Martel: Minister, the question was, why was your Premier too gutless to come and talk to these northern cancer patients directly?

You see, Minister, these northern cancer patients clearly know that in April 1999 your government set up a special program to help southern cancer patients who have to travel far from home to access cancer care. Northern patients clearly know that your government is funding 100% of the travel, food and accommodation costs for this special program for southern patients, but northern patients are not able to qualify too. They know this is discrimination, pure and simple, and they want it to end. If your Premier had had enough courage to appear before them, they would have told him that too.

My question is, Minister, when is your government going to end this discrimination against northern cancer patients and fully fund their costs too?

Hon Mrs Witmer: I understand that the Premier offered to meet with the patients. I don't know how the member opposite can stand in her place and criticize us when they had five years to make a difference. This is what Shelley Martel said in June of 1989 to the Liberals opposite:

"The travel grant in this province is woefully and totally inadequate. None of the total costs for accommodation, for airfare, for wages lost when people have to take time and go with relatives in search of medical treatment in southern Ontario is covered. It's time this government addressed the inadequacies in the northern health travel grant in this province."

Why did you not, when you had five years to do so, change the program?

The Speaker (Hon Gary Carr): The member's time is up.

1450

TRUCKING SAFETY

Mr Michael Gravelle (Thunder Bay-Superior North): My question is for the Minister of Transportation. About two and a half years ago your government decided that, because of the increase in truck traffic and the need to improve public safety, you were going to open up truck inspection stations on a 24-hours-a-day, seven-days-a-week basis. Ten of them have been opened up across this province, but you chose to ignore a very important part of the province where an increase in traffic is also the case, and that's northwestern Ontario.

We've been trying for some time to get some commitment from you as to whether you will open one in northwestern Ontario, particularly at the junction of Highways 11 and 17 near Nipigon-Red Rock. We have written to you on several occasions and continued to ask you to take that seriously. Minister, I'd like to ask today, if I may, when will you be opening up at least one truck

inspection station in northwestern Ontario? In fact, two of them are required. Traffic numbers have gone up, as you know. We have some very real safety concerns. We had some serious accidents last year as well. When will you be opening up a truck inspection station in northwestern Ontario?

When will you do that, Minister? Please give us the answer today.

Hon David Turnbull (Minister of Transportation): I think you're referring to my response last year that the Windsor truck inspection station would be open 24 hours a day, seven days a week. Truck inspection stations certainly serve a very important purpose. This is why we have put a great deal of emphasis on making sure we do spread our resources around the province. I'm pleased to see that the member is beginning to be interested in truck safety.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature, and it's from northerners demanding that the Harris government eliminate health care apartheid, which we will be debating this afternoon.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation; and

"Whereas a cancer tumour knows no health travel policy or geographic location; and

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding; and

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

Of course I affix my signature to this petition.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): Mr Speaker, you may have noticed a collection of fine antique vehicles out front this morning. They are products of Ian Lavery, Gord Hazlett, Ross McDowell, Al Fisher, Ross Walter and Ian Robertson, among others. They presented me with a petition which I'm very pleased to read today, as well as support. I encourage you to have a look at this issue as well.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas, unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

There's more to this, but in the interest of time Mr Gill will sign it as well.

PENSION FUNDS

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Health announced a new model on January 25, 1996, for improving and coordinating long-term care services. The amalgamation of the home care and placement coordination services function did shift to community care access centres (CCACs). The governing bodies of various pension plans, namely the Ontario Municipal Employees Retirement Savings (OMERS), Victorian Order of Nurses (VON), Family Services Association (FSA) and Hospital of Ontario Pension Plan (HOOPP) have failed to successfully negotiate agreements for a transfer of pension assets.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the pension adjustments are a transition item which the ministry has not yet addressed. We are requesting a one-time adjustment to enable the transfer of pension assets. This transfer is required to ensure that employees transferred from predecessor employers (namely health units and the Victorian Order of Nurses) to community care access centres as part of the mandatory government reform initiative for 'single access to long-term-care services' receive pension benefits equal to those which they formerly enjoyed. Provincially over 3,000 health care workers are affected. The individuals

who transferred to the CCACs had no control over what would happen to their prior pension contributions. Unless a one-time adjustment is made to enable the transfer of reserves, the typical employee will lose about \$2,000 annually in pension benefits compared to the position they would have been in had they been allowed to remain in OMERS."

I affix my signature to this.

EDUCATION FUNDING

Mr Rosario Marchese (Trinity-Spadina): I have a petition to the Legislative Assembly:

"We the undersigned Catholic Parents in Action from the Toronto Catholic District School Board hereby petition you as follows:

"That the board and teachers resolve their current impasse and ensure there is no further disruption to our children's education;

"That there will be no further cuts to programs, teachers, textbooks, supplies and services and that adequate funding be granted or restored by the minister to the Toronto Catholic District School Board; and

"That the funding formula be amended by the minister so that each board's unique needs are considered."

I affix my signature to that.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): Today there was a very interesting presentation at the front of the Legislature of vintage automobiles by the representatives of some of the clubs: the Specialty Vehicle Association of Ontario, Model "A" Owners Club of Canada, the Rouge Valley Antique and Classic Car Club, the Lincoln Continental Owners Club and the Historic Automobile Society of Canada. They presented me with a petition.

"To the Legislative Assembly:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage auto enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John O'Toole"—by the way, that's me—"and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull, the Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

I am pleased to endorse, sign and submit this petition today on their behalf.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have some more of the over 60,000 signatures on the petition to the Ontario Legislature.

"Northerners demand Harris government eliminate health care apartheid:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features all reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that the undersigned petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which presently exists in the province of Ontario."

I affix my signature.

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and

eliminate the health care apartheid which exists presently in the province of Ontario."

I agree with the petitioners, I have signed my name, and I'd like to thank Gerry Loughheed Jr for all of his efforts.

1500

HIGHWAY SAFETY

Mr John O'Toole (Durham): You are probably expecting another petition on behalf of the year of manufacture, but that's not the case. This is to draw your attention to another important legislative initiative.

"To the Legislative Assembly of Ontario:

"Whereas motor vehicle accidents are the leading cause of death in North America; and

"Whereas studies conducted in the city of Toronto, the United States and Great Britain have reported that drivers using cellular phones while operating a vehicle significantly increases the risk of collisions; and

"Whereas people talking on cellular phones while driving may cause a 34% higher risk of having an accident;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to ban the use of hand-held cellular phones, portable computers and fax machines while operating a motor vehicle. We further respectfully request that" members support "Bill 102," MPP John O'Toole's bill, "An Act to amend the Highway Traffic Act to prohibit the use of phones and other equipment while driving on a highway, be passed unanimously by all" members on both sides of the House immediately.

I'm pleased to endorse and support this myself.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael Gravelle (Thunder Bay-Superior North): I also have some of the 60,000 petitions that were delivered here last week related to the discrimination of the northern health travel grant that this government needs to deal with.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care

Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is a battle we will not give up on and neither will these people here. I'm pleased to sign my name to this petition.

PAPER SLUDGE

Mr John O'Toole (Durham): It's my duty and privilege to stand and represent the people of my riding. Here's another petition. They keep coming.

"Whereas residents of the riding of Durham have voiced their objection to the storage of paper sludge and related materials within the Oak Ridges moraine;

"Whereas the residents are concerned over the impact of this material on the air, water and soil of the moraine and on the health of those living nearby;

"Whereas this issue has been raised at several public meetings by both individual citizens, members of the Protect the Ridges Coalition and municipal governments;

"Whereas the Ministry of the Environment is currently completing a study of the impact of paper sludge in the Durham riding;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to take whatever steps are necessary to re-evaluate the use of paper sludge in Ontario, including its stockpiling and storage in rural areas, the spreading of this material on farm fields and any other commercial applications for this material. And that such re-evaluation of this process include consultation with residents in communities where paper sludge is spread, stored and processed. And that the re-evaluation also include whatever technical studies are necessary to fully understand the impact of this material on the natural environment."

I'm pleased to endorse and sign this on their behalf as well.

EDUCATION FUNDING

Mr Gerard Kennedy (Parkdale-High Park): I'm here on behalf of dozens of parents who came down for the noon hour with respect to the strike and lockout taking place at Toronto elementary schools, affecting thousands of students.

To the Legislature of Ontario, the Premier of Ontario and the Minister of Education:

"We, the undersigned Catholic Parents in Action (CPIA) from the Toronto Catholic District School Board, hereby petition you as follows:

"That the board and teachers resolve the current impasse and ensure there is no further disruption to our children's education;

"That there be no further cuts to programs, teachers, textbooks, supplies and services and that adequate funding be granted/restored by the minister to the (Toronto Catholic District School Board); and

"That the funding formula be amended by the minister, so that each board's unique needs are considered."

I'm happy to affix my signature to this petition as I think it reflects something this Legislature has to give attention to.

VISITORS

The Acting Speaker (Mr Bert Johnson): We have some very special guests today.

I want to mention those who are here from the Ontario Medical Association.

I want to point out that this is the last week for this group of pages; as you know, next week is constituency week. There are some very special people here in connection with that. I want to introduce, in the members' east gallery, Joan Chamney, mother of Ashton Chamney, one of our pages from Lucknow, and her four friends, Amber Hackett, Julie Hamilton, Brittany Ackert and Melanie Willits. We're glad they could be here.

As most of you know, Willy Heeman, from the riding of Perth-Middlesex, has been here as a page. His mom and dad, Rudy and Florence Heeman, and his brother Tommy and his sisters Katie and Bridget are here. We're ever so glad they could be here visiting us as well.

OPPOSITION DAY

NORTHERN HEALTH TRAVEL GRANT

FRAIS DE TRANSPORT

AUX FINS MÉDICALES

Mrs Lyn McLeod (Thunder Bay-Atikokan): I move that this House recognizes that:

The government of Ontario is perpetuating a policy of discrimination against residents of northern Ontario who have to travel to receive cancer care;

The government of Ontario has established a standard of ensuring that 100% of costs of travel for cancer patients referred from southern Ontario are covered;

The Canada Health Act and the Constitution of Canada require that any health program that is offered must be extended equally to everyone; and

That this House resolves that 100% of the costs of travel to receive cancer care must be covered, regardless of whether the cancer patient resides in northern or southern Ontario.

The Acting Speaker (Mr Bert Johnson): Mrs McLeod moves opposition day number 3.

Mrs McLeod: Let me begin by expressing my personal appreciation to all the members of the caucus for allowing us to focus this afternoon's debate on this very important issue to northern Ontario residents who

need health care, and in particular northern Ontario residents who need access to cancer care.

It is quite clear that the members of our caucus have heard the concerns, the frustrations and the anguish of constituents in northern Ontario who are discriminated against by having to pay a significant cost out of their own pockets to get access to care. While the government has not heard those voices, members of our caucus have. They believe this policy is wrong, it is unfair, it is discriminatory, and they've given us their support to raise this issue in the House this afternoon.

I also want to make clear at the outset that the concern of residents in northern Ontario is not exclusively for those who need cancer care, although this resolution speaks specifically to the discriminatory treatment of northern cancer patients. The issue of northern residents having to travel to get health care and having, at best, \$419 of those travel costs covered by the northern health travel grant is an ongoing issue of concern for people across northern Ontario. It is not just about cancer patients; it is about patients who need heart bypasses and can't get them in the north. It's about patients who need organ transplants and have to leave their northern communities and spend literally weeks or months living in another community waiting for the possibility of that transplant. It's about people who have neurological disorders that can't be treated in our northern communities, even in our northern urban communities, and it is indeed about northern cancer patients as well. It's about northern cancer patients who need surgical treatment that isn't available in northern Ontario communities. It's about children with leukemia who can't be provided with the treatment they need in our northern Ontario communities.

1510

All of these people faced with the kinds of illnesses that need care are having to travel to get that care and are incurring significant costs that can be devastating to their families. In many cases residents of our communities are facing thousands and thousands of dollars of expenses, crippling for their families. They already face the devastating impact of illness, and they face as well financial devastation, because what do you do if your child has cancer and you have to get treatment for that child and the only way to get treatment is to travel to Winnipeg or Toronto to get the care that's needed, and you can't afford the repeated travel costs and you can't afford the accommodation costs of being the parent who stays with that child while the child gets treatment? What you do is you beg, you borrow, you go into debt.

Too many northern Ontario families who face devastating illnesses and can't get care at home are facing the costs of those illnesses long after the illness itself has been cured or after it has taken its all-too-often tragic toll.

This is an ongoing issue of tremendous concern for residents of northern Ontario. It flared up in a way that I've never seen before in my political lifetime, living in the northern Ontario community of Thunder Bay. It became anger. It became anger at a point in time when northern Ontario residents realized that this Ontario

government had adopted a policy, a policy that said, "If you are a southern Ontario cancer patient who has to be referred out of southern Ontario, where you would normally get your care, to a centre in northern Ontario or in the United States to get timely treatment, then all of your costs will be covered." Let's be clear—all of your costs: all of your travel costs, all of your accommodation costs, all of your meal costs will be covered. Compare that to the standard policy for any northerner travelling for cancer care or other kinds of medical care who will get a maximum of \$419 regardless of what the costs are.

I want to make it absolutely clear that northern Ontario residents are not angered because the government, through Cancer Care Ontario, has seen fit to provide the costs of travel for southern Ontario patients who need to get timely access to radiation treatment, not at all. What we want is to see that same principle, the principle that people shouldn't have to pay out of their own pockets to get necessary care, applied equally to northern Ontario residents. Quite frankly, we want to see that same principle applied, whether your illness is cancer or any other illness. We think the principle is the right one. We think the government took the right step in covering the costs of southern Ontario cancer patients who need to travel for care, and we want that same right direction to be applied fairly to northern Ontario residents.

It's a gold standard. It's a standard we agree with. It's a standard that we believe, having been established in this province for one group of patients, should now be extended universally to people who need medical care.

Cancer Care Ontario has said that the reason the southern Ontario re-referral program, as they call it, was put in place, the reason this policy of paying all the costs for southern Ontario patients who need radiation was put in place—this is a quote taken directly from an answer to a question asked in the estimates committee last week—was because they did not want financial barriers to prevent people from travelling to get the care they needed.

We say amen to that. We believe that is the right answer. Financial barriers should not be put in place that prevent people from getting access to care, and we say if that was a concern for southern Ontario patients needing access to cancer care, it should be a concern for any patient needing to travel to care. There should not be financial barriers put in the way of people getting access to care.

Those financial barriers most definitely exist now. If you want to talk to people who need to have a kidney transplant, for example, and have to travel out of a northern Ontario community and they're on welfare or low incomes, they don't put their names on the list for the kidney transplant because they can't afford the care, and the Kidney Foundation will tell you they can't meet all the needs that are there.

I believe it is morally wrong to discriminate against some patients who need access to care and don't have all their costs covered while other patients have all their

costs covered. I believe that's morally wrong. I also truly believe it is legally wrong.

The government is somewhat shaken by the fact that they may be in court over this issue, and so they are being very careful to qualify the nature of the applicants who have all their costs covered. They want this program to be narrowly understood in its application in order to perhaps protect themselves in defence in court. So the minister, from time to time, has said this is not a discriminatory program because all cancer patients referred away from their home area, out of their region, are eligible for full cost recovery. That's because the sense is that if you normally can get care in your home area, then you won't need to have your costs covered. They're saying that if you have to be referred out of your home area, then we'll cover your costs. That was the argument made for covering the costs of southern Ontario cancer patients who are referred out of their home areas to get radiation treatment for their cancer.

I have a bit of difficulty with the underlying rationale, because it says to me that if you normally get your care close to home, then you shouldn't have to pay, but if you never get your care close to home, then we expect you to pay. I think there's a basic unfairness in that very principle.

I don't think you could defend the fairness of that principle if you were to talk to Butch and Judy Carrol, who are residents of Thunder Bay. They are not people who would fall under what is narrowly defined as a re-referral program. People who normally can get care at home but for some reason temporarily can't get the care at home and have to be referred out, are re-referred. These are people whose daughter Erin died in 1998 after a nine-year battle with cancer. In the course of battling cancer over those nine years, the Carrols made 30 trips to Toronto with Erin. Erin had 13 surgeries. She was not a re-referred patient. She was a person who could not get care at home, so she made 30 trips to Toronto for her 13 surgeries. She didn't qualify under the narrow definition of who should get all their costs covered. Tell Butch and Judy Carrol that this program is fair in its underlying principle: You don't get your costs covered, because you never can get that kind of care at home.

The minister has tried to narrow the definition of the program even further. Not all cancer patients who are referred out of their home area for care get their costs covered, as she has said from time to time in answer to our questions in the House. They're being very careful now to say it is for breast and prostate cancer treatment only. The re-referral program is for breast and prostate cancer patients who cannot get radiation in a timely way in their home community.

That's not actually quite factual either, because the government did decide, after the re-referral program was put in place, to extend full cost recovery to northern Ontario residents who need to leave their home community for something called brachytherapy. But it's interesting that the reason brachytherapy is now to be covered—it's a special kind of radiation therapy. But it's

not just for breast or prostate cancer; it's also for cervical cancer or esophageal cancers. So already the program has been extended beyond breast and prostate cancers. I need to make that very clear.

This still seems to be a narrow definition, because the reason brachytherapy is now covered for northern Ontario residents is that it used to be provided in a northern Ontario community, in Thunder Bay specifically, but it's no longer provided. Because it used to be provided and you now have to travel, and normally it would have been provided, therefore we'll cover all your costs. If that sounds like it doesn't make a lot of sense in terms of people who have to travel and pay the costs, I agree with you. The fact that if you normally could get it at home and you have to travel, you get your cost covered, but if you never can get it at home, you're not going to get more than \$419, doesn't make a lot of sense.

Quite clearly, that is what the government is hanging its hat on when it wants to say this is not a discriminatory policy. It's quite amazing the lengths to which Cancer Care Ontario goes—on behalf of the government, I add, because of course it is the government that is fully funding Cancer Care Ontario—when they say: "All Ontario cancer patients who are re-referred outside of the region where they live for radiation treatment, for a service that is normally available in their region, are eligible for this subsidy."

I'm reading from the media statement from Cancer Care Ontario that was put out on October 25, just last week, as they attempted to make sure that we all understood just what a narrow group of people this program applies to.

1520

Why was this program put in place? If we think back we'll realize it was because there are unacceptable—absolutely unacceptable—intolerable waiting times for radiation treatment for people in this province and, in particular, people who needed radiation for breast cancer or for prostate cancer. I for one agree wholeheartedly that something had to be done, that we could not tolerate waiting times, which are supposed to be no longer than four weeks and which still extend as long as seven months in some cases.

The government thought this would be a temporary program. That's the other reason the government said, "We put this program in place, but we don't have to look at extending it more broadly because, after all, this is only temporary. We won't be having to pay these costs for very long." The temporary program was supposed to end last March, when the government was going to meet the standard for providing timely treatment for radiation. Now they are saying they may be able to meet that standard within the next year. It's clearly not a temporary problem.

I do have a problem with programs that are put in place on the basis, supposedly, of a temporary principle. I have a problem with programs that are put in place that are more responsive to political pressures and media headlines than they are to meeting patient needs. I don't

know how you justify a temporary program that is based on a fundamental principle that if you have to travel to get care, you should have all your costs covered.

In any event, I realize that the government is concerned about the legal challenge, which is why Cancer Care Ontario has sought a legal opinion from McMillan Binch, and their legal opinion says basically that the program is not discriminatory on the basis of geography. No it's not. It's discriminatory, perhaps, on the basis of the type of cancer that you've got, the disease that you've got.

The legal opinion given to the CCO, Cancer Care Ontario, says if you need radiation treatment and you're re-referred, you can receive that whether you live in the north or the south. You can't tell that to Mr Erik Seigwart, who is a constituent of mine who travelled to Toronto for surgery for cancer; so of course, he wasn't covered because it was travel for surgery. But then he was referred—re-referred would be an appropriate term—back to Toronto for radiation treatment. But it wasn't brachial therapy, so even though he was referred out of his home area for radiation treatment, his costs weren't covered because he didn't fit the program. Tell me that's not discriminatory.

Health care should be universally accessible. There is going to be a legal debate. The government has established a standard. The Canada Health Act says a standard which is established for the delivery of health care should be universally available to all. There will be a legal debate, and they are already taking a stand that they can defend this position in court. I believe there is a legal challenge in the failure to provide universal access to this program. In fact, I believe there is a legal challenge in the failure to provide universal access to health care depending on whether you live in northern Ontario or southern Ontario.

But whatever the outcome of that legal debate, the moral principle in this issue is not debatable. How is it fair to pay all the costs for a southern Ontario patient who has to travel to get health care, to get cancer care, but not to pay for Julie Groombridge or Sheila Chalat or Eric Seigwart or Heather Curtola, all residents of Thunder Bay, all of whom are cancer patients, all of whom have had to travel for cancer care, not for radiation, except for Mr Seigwart, but for surgery. How is it fair that their costs should not be covered? How is it fair for Butch and Judy Carrol, whose daughter had to make 30 trips to Toronto to get care?

How is it fair for Dana Zahn, whose four-year-old son Quinten was diagnosed as having a malignant tumour in his adrenal gland, who couldn't afford to go to Toronto—a waitress with a small income who is extremely concerned about financing and still has to draw on her own finances—although she chose to go to Winnipeg to get the care so it would be somewhat less expensive? How is this policy fair to any of these people?

The Premier said last week, "The community should help with fundraising." The community does help with fundraising, but that's not the answer. The government

should make universal access to health care available. I say to this government, which wants to suggest that there is a counter-discrimination in having northern health travel grant programs for northerners, that it is indeed only residents of northern Ontario who have to travel on a regular basis to access health care, both cancer care and care for other illnesses. It is only northern Ontarians who are encountering thousands and thousands of dollars to get that kind of care and are facing devastating costs as a result, because they get such minimal help from government.

It is not Cancer Care Ontario's responsibility; it is the responsibility of this government. Cancer Care Ontario has done a report with advice to this government. We ask that the report be tabled. We ask that this government act on the recommendation, an all-party recommendation from the public accounts committee to look at fair treatment for cancer patients, whether they come from northern Ontario or southern Ontario, and we ask this government to establish and apply the clear universal principle that everyone should be entitled to fair and equitable access to health care.

Ms Shelley Martel (Nickel Belt): It's a pleasure to participate in this very important debate, so we can reinforce once again the fact, and it is a fact, that this government is discriminating against northern cancer patients. There is no doubt about that, except perhaps in the mind of the Minister of Health. Even her colleague the Minister of Finance, early in May, very publicly on CBC in response to a caller from northern Ontario, indicated that an inequity did exist with respect to funding of cancer patients and that he would personally bring the situation to the attention of the Minister of Health. It is regrettable that we are here five months later and clearly nothing has been done by this government except to stall and stall and continue its discrimination.

It's worthwhile to go back to the history of this matter, so that people who are watching get a clear idea of how we got where we are and why the government is clearly discriminating against northern cancer patients. The history is as follows.

In April 1999—actually, early in the spring of 1999—Cancer Care Ontario recognized that there were long waiting lists for cancer treatment, specifically for breast and prostate cancer, and cancer patients could not get timely treatment close to home. Cancer Care Ontario, the agent of this government for cancer, made a medical recommendation that patients from London, Toronto and Hamilton be sent to other centres to get access to timely cancer care. These patients would be sent to Buffalo, Detroit, Kingston, Sudbury and Thunder Bay. I agree with that decision. God help us if someone loses their life in Ontario in the year 2000 because they could not get access to cancer care in a timely fashion.

So Cancer Care Ontario made a recommendation to the government to allow this to happen. The Harris government, for its part, made a financial decision and a political decision, and that financial-political decision was that the government would pay 100% of the cost for

those southern Ontario cancer patients to access care in other centres. In other words, the government would fully fund 100% of the costs of travel to get to that centre, of food that might have to be purchased while someone was there getting treatment and of accommodations that someone might have to pay for if the cancer lodge was full or if it was closed on a weekend and they had to be accommodated in a hotel. That was a financial and a political decision. It was regrettable that at estimates last week, when I questioned the Minister of Health about the rationale for making that decision, she refused to answer that very important question.

But Cancer Care Ontario, the agent of the government, has clearly answered the question, and I suspect the answer would be the same from the minister if she ever decided to actually answer the question. Dr Shumak from Cancer Care Ontario said the following before the public accounts committee in February: "We see this as an exceptional and temporary circumstance, as these patients would not normally have to travel long distances for their treatment." He said again in the same public hearing, "We felt that in the extraordinary circumstance of a re-referral from the cancer centre they should have been treated at to another cancer centre, we should not institute a financial barrier to care." I suspect, because it was just before an election and the government didn't want to get caught with this very serious and important issue, that was also why the government made a financial/political decision to fund 100% of the costs for these patients.

I agree with that decision, because I can't imagine the emotional trauma, first off, of having to go for cancer treatment.

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Secondly, I can't begin to imagine the emotional burden and then the financial burden which is added to that when you have to pay out of your own pocket to access cancer care. But that is a situation which northern cancer patients face every day, and we have been trying to get the Minister of Health to understand that, because clearly she doesn't want to. Every day in northern Ontario, we have cancer patients who travel four and five hours from home one way to get to their nearest cancer treatment centre in Sudbury or Thunder Bay. Every day we have other northern patients who have to leave the north altogether and travel to London or to Toronto or to Ottawa to get the cancer care they need. All they get from this government when they have to do that is a small, minute portion of their travel costs covered: 30.4 cents a kilometre one way from their home to the cancer treatment centre, provided that it is further than 100 kilometres.

I agree that southern cancer patients should have their costs covered when they have to travel far from home. But if the government can do that for southern Ontario cancer patients, then they absolutely should do it for northern cancer patients too, who every day travel far from home to access cancer care.

It's important to note that many of the cancer patients we are talking about from northern Ontario travel farther

to get to their nearest cancer treatment centre than southern Ontario patients who are travelling not to the cancer centre in their own community but to the cancer treatment centre in the United States or in Kingston.

In June, I made a presentation before Cancer Care Ontario urging them to make a recommendation to this government to fully fund northern cancer patients too. I regret that Cancer Care Ontario, the lead agency for cancer, hasn't had the political courage to do that, because they are as much a party to this discrimination as this government is. I raised four cases, and I'd like to raise them here today, because it clearly shows that these four individuals have had to travel farther in the north to their nearest cancer treatment centre than many of the cancer patients from southern Ontario who are actually being re-referred.

Donna Graham lived in Pickle Lake, 525 kilometres one way from the nearest cancer treatment centre in Thunder Bay. She made 14 round trips to Thunder Bay for treatment, beginning in May 1999. She flew two times to Thunder Bay, was driven once to Ignace and then took the bus to Thunder Bay, another 235 kilometres, and was driven 11 other times. Her travel costs alone were \$6,077, but she received only \$2,200 in total compensation from the government. She paid \$3,806 out of her own pocket to access cancer care.

Donna Graham travelled farther by car in northern Ontario to access her nearest cancer treatment centre than the re-referral patients from Toronto, London and Hamilton who had to go to Buffalo, Cleveland, Detroit or Kingston.

Case number 2: Lorraine Newton lives in Kenora, but she cannot access cancer care in Thunder Bay because she has a rare eye cancer which can only be treated in Toronto. She drives to Winnipeg, 207 kilometres one way, and then flies to Toronto for care. She made four trips to Toronto and will have to go again this month. The best discounted airfare was \$287. She usually pays \$400. She pays \$23 to come from the airport to downtown Toronto, spends \$59 for a night in a hotel used by the Princess Margaret Hospital, and her food costs are added on. She receives a grand total of \$146.40 in total compensation from this government each trip that she makes.

Lorraine Newton travels farther by car just to get to Winnipeg than a southern Ontario cancer patient who is referred from Toronto to Buffalo, from London to Buffalo or from Hamilton to Detroit.

The third case: Elizabeth Boucher. She lives in Iroquois Falls. It's 360 kilometres one way to the nearest cancer treatment centre in Sudbury. She made nine round trips between December 1999 and March 2000. She spent \$308 for four nights in a hotel in Sudbury when the cancer lodge was closed. She spent another \$450 for meals at the hospital during seven weeks of treatment. She spent \$240 for meals before she was admitted as a cancer patient and during those times when the lodge was closed. She received a grand total of \$109.80 in total

compensation for each trip. That barely covered the gas costs.

Elizabeth Boucher travels farther by car in the north to get to her nearest cancer treatment centre in Sudbury than a southern Ontario cancer patient referred from Toronto to Buffalo or Kingston, from London to either Detroit or Buffalo, or from Hamilton to Buffalo, Detroit or Kingston.

The final case: Gladys Whelan, who lives in Fort Frances. She has to travel 336 kilometres one way from her home to her nearest cancer treatment centre in Thunder Bay. She made three round trips between November and December 1999. She spent \$469 for six nights in a hotel because the cancer lodge in Thunder Bay was full. She spent another \$360 for meals during the nine days of treatment. She spent \$180 for gas for three round trips. She had total costs of \$1,009 but received a grand total of \$306.54 in compensation from this government. She paid \$702.46 out of her own pocket to access cancer care.

Gladys Whelan travelled farther by car in the north to access cancer care in Thunder Bay, her nearest cancer treatment centre, than a southern Ontario cancer patient referred from Toronto to Buffalo or Kingston, from London to Buffalo or Detroit, or from Hamilton to Buffalo, Detroit or Kingston.

The point of all this is this: we have northern Ontario cancer patients who daily travel farther from home to get to their nearest cancer treatment centre than many of the southern Ontario re-referral patients who are travelling to other centres for cancer care. There is nothing fair about compensating 100% of the travel costs for southern Ontario re-referral patients and giving a lousy mileage allowance to northern Ontario cancer patients.

The government has tried to justify its discrimination using one of three excuses, sometimes all three.

The first is that this is a temporary program. The Minister of Health has said on numerous occasions that this is a temporary program and the government will only temporarily fund southern Ontario cancer patients. It's interesting to note that this program, funded 100% by the government of Ontario, began in April 1999 and has already gone on for 18 months. The second interesting point is that when Cancer Care Ontario was before the public accounts committee, they made it clear that at that time, in February 2000, they expected the program to go at least another 18 months. Two and a half years is not temporary by anyone's standards except, obviously, those of this Minister of Health, who needs to say that to justify the discrimination. What's worse is that we know, because those waiting lists now are longer than ever, and that was recently admitted by Cancer Care Ontario, that in fact this program is going to go on much longer than two and a half years, and the government is going to cover the costs for southern patients much longer than two and a half years. There's nothing temporary about this situation.

The second justification, and I use the word loosely, for the government's ongoing discrimination against

northern cancer patients is the government's reference to the northern health travel grant. The government—the minister and now the Premier, who has jumped into this debate in a most inappropriate way, given that he is a northerner and should actually lobby for northern cancer patients—has tried to allege that somehow northern patients are entitled to northern health travel grants, so that's OK.

The northern health travel grant has nothing to do with this issue, absolutely nothing at all. The reason for that is because this government in April 1999 created a special program for southern Ontario patients only; northerners need not apply. That's what the government has done. They created a special program, made a political-financial decision to fund 100% of the costs of southern Ontario cancer patients who travel far from home for care, and this government refuses to allow northerners to access that special program. That is a fact.

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So for all the Minister of Health and the Premier trying to talk about the northern health travel grant in hopes that maybe the media will be confused, or other MPPs will be confused or northern cancer patients will be confused, the fact is the basis of the discrimination lies with this government wherein it established a special program in April 1999 to fully fund 100% of the travel costs for southern patients. That program should be opened up, applicable to northern cancer patients too.

The third reason that the government gives to justify what just cannot be defended—and that is this government's ongoing discrimination against cancer patients—is that they have tried on numerous occasions to say that it is Cancer Care Ontario that is paying the costs for this program, or that it is the Canadian Cancer Society that's actually paying for this program and the Mike Harris government has nothing to do with funding 100% of the cost of this program.

It's interesting that in the response to the petitions that we have been placing regarding this ongoing discrimination, the government again—and I have the reply right in front of me—has insisted that it's Cancer Care Ontario and the Canadian Cancer Society paying for this program. I want to quote you from the reply to the petition. It says, "Cancer Care Ontario and the Canadian Cancer Society have chosen to pay 100% of the expenses for cancer patients who have to be re-referred for breast or prostate cancer only."

Well, you know what? That's absolutely false. It's absolutely dishonest, and the minister should know better because she knows it's not true. When we had Cancer Care Ontario before the public accounts committee in February this year, I asked Cancer Care Ontario officials how this program was being paid for, because we know they're administering it and we also know that the Ministry of Health, at the time, was sending letters to northern cancer patients alleging that this was being paid solely by Cancer Care Ontario. So I asked Cancer Care Ontario, "Can you tell me, Dr McGowan, who is paying for these costs?" And I asked again, "The money that

you're paying these patients for their 100% of costs is not coming out of Cancer Care Ontario's base budget?"

"Dr McGowan: No.

"Ms Martel: So it is money that has been flowed particularly for this effort by the Ministry of Health?

"Dr McGowan: Yes. This is funding for this program.

"Ms Martel: So special allocations?

"Dr McGowan: This is funding for this program, yes."

Clearly the government is providing a special allocation to Cancer Care Ontario to pay these costs.

Second, because the government was sending letters to northern cancer patients saying that the Canadian Cancer Society was paying for these costs, for 100% of the travel to be covered, I asked Dr McGowan:

"So it would be probably dishonest or false for someone to suggest that in fact the money paying for this is coming from Cancer Care Ontario or the Canadian Cancer Society, for example?"

"Dr McGowan: Well, it's not coming from the Canadian Cancer Society.

"Ms Martel: At all?

"Dr McGowan: No. This is not funding that's coming through the Canadian Cancer Society."

So here we are with the ministry just recently replying to the petitions that we have filed in this House trying to say again that it's Cancer Care Ontario or the Canadian Cancer Society paying for this program. That is false. That is dishonest and, as I said earlier, the Minister of Health should know better. It's clear that she's so desperate to use any excuse to justify this discrimination that she is fully prepared to make incorrect statements to northern cancer patients and suggest that somehow the money is coming from Cancer Care Ontario or the Canadian Cancer Society. Absolutely untrue, it's a special allocation, courtesy of the Mike Harris government, and the Mike Harris government is funding 100% in this special allocation, all of the costs that have to be covered for southern Ontario cancer patients.

It's clear the government has done everything it can to delay a positive resolution. It has done everything, in fact, to continue its discrimination against northern cancer patients.

We know that the Ministry of Health, the Sudbury regional office, was asked last fall to develop an options paper in order to cover the cost of northern cancer patients too. We know that the director of the northern health branch promised Cancer Care Ontario's northeast region, and Mr Gerry Lougheed in particular, that the options paper would be developed and provided to Cancer Care Ontario's northeast region for review by December 1999. We are here almost a year later and we have never seen that options paper; it has never been presented or released to anyone.

Second, in response to questions raised by my leader and I in this House on May 8, the Minister of Health promised this House that she would do a review of this inequity and that she would have the results of that review provided within a short time span. We are here five months later, and the Minister of Health has yet to

produce the report that I had been told was finished in June, which I believe clearly shows that this inequity does exist and this government is clearly discriminating against northern cancer patients. In fact, because we hadn't gotten a reply, I filed a freedom of information request for this document on September 13 and got a reply back from the minister last week to say that the government still has to consult about my request and I shouldn't expect an answer much before November 14. This is a stall tactic; it's a delay tactic; it is, in finality, an insult to northern Ontario cancer patients. Again, I believe the only reason this report hasn't been made public is because it clearly shows this discrimination exists and this government continues to carry out its campaign of discriminating against northern cancer patients.

Do you know what the sad part of this is? The really sad part about this issue is that it would cost the government a sum total of about \$6 million to fix this problem. The government blows more on advertising in a week than it would cost to fix this problem. It is an absolute shame that instead of replying to the serious and legitimate financial needs of northern cancer patients who spend hundreds and thousands of dollars out of their own pockets to access cancer care, this government would continue to delay or that this Premier, in a horrible insult to northerners, would actually say that the people being discriminated against are southern Ontario cancer patients.

We will of course support this resolution. I say again, there is nothing fair, there is nothing just, there is nothing correct or right about this policy. This government continues to discriminate against northern cancer patients. The discrimination should end and this government should cover 100% of the costs for northern cancer patients too.

Mr Bob Wood (London West): This resolution raises an important issue. Most people in Ontario have had cancer strike their families and understand what the patient and family go through in the treatment of this disease. They also know that in some cases the treatment is not successful. My family is no exception. I know firsthand what you have to go through in the treatment of cancer. I for one think it would be a good thing if we could increase travel grants to those who are suffering from cancer, and I hope that we can.

I also, however, agree with the Premier. This has to be done as part of our overall plan to provide 21st-century health care to the people of Ontario, and the review being done right now is in fact the right way to find the answer. I think, however, as we seek that answer, we have to see this issue as part of our overall plan to provide 21st-century health care to the people of Ontario. Looking at this issue in isolation is not going to provide the best possible answer. Significant changes are needed to the ways we provide health care.

There are a number of reasons why we have to make these changes. One is that medical science has made great strides in the last 20 years: new therapies, new

technologies, new drugs. The best medical practices are a lot different now than they were 20 years ago. Another reason is that our population is aging and therefore requires more health care.

What this government has stood for is real change for the better, for the people of Ontario in the area of health care. One way we have accomplished this is in the restructuring of our hospitals. Medical science has advanced and a lot more treatment is done outside of the hospital. That's what the patients themselves want and what medical science tells us is the right thing to do. So we undertook a major restructuring of the hospital system and we're well on our way toward completing that. It has been a great success.

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Members of this House will be familiar with a recent survey, done by the Ontario Hospital Association, of what patients who actually received service in the hospitals thought about our hospitals. It showed a high rate of patient satisfaction with the hospitals of Ontario.

Without being too parochial, I would like to refer in particular to the rating received by the London Health Sciences Centre, which was significantly above the average of the hospitals throughout Ontario. The reason for that high rating, I think, was that our hospitals and our health care community recognized early that a restructuring was needed and they started restructuring before the commission was even struck.

Mr Gilles Bisson (Timmins-James Bay): Prior to 1995.

Mr Wood: It actually started, I might say for the benefit of those listening, prior to this government's taking office. They had the vision to see, unlike the government of the time, that real restructuring was needed, and actually started.

They themselves would agree that they were helped a lot by the restructuring commission.

Mr Michael A. Brown (Algoma-Manitoulin): "I have no plans to close hospitals."

Mr Wood: By the way, we hear from the other side a bit about the question of hospital restructuring, and I'm going to speak a few minutes about their plan or lack thereof when it came to hospital restructuring. That in itself is going to be a matter, I think, of some interest to the public of this province.

The process of restructuring of hospitals has permitted us to move money away from areas of waste. The restructuring commission identified some half billion dollars or more that was basically being wasted in the system. The government has rechannelled those funds back into where they can best be used to provide the best possible health care for the people of Ontario.

Another area where we have made real change for the better is in community care. Advances in medical science permit many people to recuperate at home today, where that wasn't possible 20 years ago, and advances in medical science permit many people to live at home, where that was not possible 20 years ago.

This, number one, is what the people themselves want and, number two, it's what 21st-century medical science tells us is the best way to deal with people with those particular problems. Members will be familiar with the many studies that show that people recover better at home than they do in hospitals or institutions where it's possible for that to be done. To do this, however, required a considerably increased level of support for care in the home and it required the major investment of new money that we have given to the community care access centres. Members are aware that we have put hundreds of millions of new dollars into home care and community care. That is a major change for the better in our health care delivery system.

The third area of real change for the better is, of course, primary care reform. There is a general consensus that primary care reform is needed. Pretty much everybody agrees with that. But that consensus is not going to produce any useful result for the people of Ontario unless it is actually implemented. That's why I am so pleased with the recent agreement between the government of Ontario and the Ontario Medical Association. It provides the necessary framework in which primary care reform can actually be achieved. I think it provides a real basis for a very positive working partnership with the physicians to accomplish what's needed in the area of primary care reform.

I think the solution to the problem raised in this resolution must be achieved within the overall framework of a good health care plan for the people of Ontario. That's why I think the right thing to do is to take a look at it in that context, and that's what is happening right now. Given the authorship of this resolution, I feel it is also my duty to draw to the attention of the public where the Liberals stand or don't stand on the issue of real change for the better in health care.

The members will remember that the Liberal Party consistently opposed the work of the Health Services Restructuring Commission. When, however, it was time to put their platform before the voters, what substantial changes did they propose to the work that had been done? Well, they committed to changes with respect to two institutions and said they would not be bound by the rest of the report, whatever that meant. I don't know whether it was because they actually agreed with the report, wanted to try and solicit votes from those who opposed it or couldn't agree among themselves on whether the report should be implemented. I do know that when the report came to be implemented, the Liberal policy was that they had no policy. Surely, after three years of restructuring, they could tell us what they thought was right and what they thought was wrong with the report. Surely it was appropriate to come clean with the people of Ontario on where they stood on such an important issue. But they couldn't and they didn't, and that I think is rather typical of the Liberal Party. They say they support real change for the better, but when it comes down to actually doing it, they're married to old ideas and old ways and to special interest groups. -

What did their platform say about community care access centres and their significant role in providing 21st-century health care to the people of this province? Actually, virtually nothing. What did they say about primary care reform? What was the Liberal platform with respect to primary care reform? As far as I can tell, their plan was that they had no plan. The fact of the matter is that when it comes to real change for the better, to provide 21st-century health care for the people of this province, the Liberals have neither a plan nor the strength to implement a plan. I invite them to open their minds to some new ideas, to some new ways of doing things, to loosen their ties to the special interest groups and to embrace the idea of real change for the better in health care.

The problem referred to in this resolution can indeed be solved, but it has to be solved as part of our overall approach to health care. A good overall plan, consistently executed, is how we will deliver 21st-century health care to the people of this province. That's something they both want, need and are entitled to.

Mr Brown: This is a debate I wish I were not taking part in. It seems to me that for well over the past year I have been reading petitions from people in Algoma-Manitoulin—from places like Manitouwadge, Homebayne, Elliot Lake, Blind River, Thessalon, Espanola, Gore Bay, Meldrum Bay, South Baymouth—in short, from all across my part of northern Ontario. What the people are saying is, yes, that it is necessary that the travel grant in general be restructured because it is, even as it sits today, a barrier to good, accessible health care. But what's more, what angers them far more, is the fact that when southern Ontario is faced with a lack of resources to provide a certain kind of adequate care, the government does not say, "The circumstance of the northern travel grant now applies to you." What they say is, "The northern travel grant is not good enough for southern Ontario. We will provide you with a special deal. We will provide you with a deal that provides you with full travel expenses being covered." That's airfare, if necessary, all mileage, if necessary, taxis, accommodation, food, whatever it takes. If you're from southern Ontario, that is the standard that applies to you. If you're from northern Ontario, you get 30.4 cents a kilometre one way regardless.

I want to tell you that many of my constituents live more than four hours away from the closest cancer care centre in northern Ontario. If you're in Manitouwadge, if you're in Chapleau, if you're on some parts of Manitoulin Island, many of those folks will travel at least three hours, probably four, maybe more, to get proper cancer care.

1600

To add insult to injury, the present Minister of Health came to Algoma-Manitoulin—well, actually, to Sault Ste Marie—and announced just prior to the election that she would provide radiation services in Sault Ste Marie for those patients in Sault Ste Marie and in Algoma who needed those services provided locally. "Too bad, so sad;

we're into a hospital restructuring. Somewhere down the road, after we make decisions on hospital restructuring, probably right after the next general election, radiation services may be provided."

What this is about—it isn't about travel grants, because I don't want any travel grants. I don't think we should have them. I think we should provide the services as close to home as possible. But in the absence of being able to do that, we have to get rid of the barrier that is there, and we know the barrier is geography.

We know that this government is driven solely by electoral imperative. We know that radiation technologists have not been graduated. As a matter of fact, the number of graduates being provided into the province was cut back. It sounds kind of like the doctor situation. We know that. That has caused the problem, or at least one of the major problems, in southern Ontario. We know that to be the case. They created the problem. The solution to the problem for electoral purposes was to put this present policy in place.

Many of my constituents not only have to go to Sudbury for cancer care, or to Thunder Bay in some instances; many of them have to come here to Toronto, some have to go to London, some have to go to Ottawa, some have to go to other cancer care facilities in this province because those services are not available in our part of the world. That is the case. But somehow they are second-class citizens to this government because the government refuses to treat them in a similar manner to their southern cousins.

If that is not offensive, I don't know what is. I don't know how you explain to the miners in Manitouwadge that they don't rate the same kind of consideration as people who may be from Toronto or Hamilton, or explain to the people who work in the steel mills in Sault Ste Marie and who live in my constituency that they don't rate the same kind of consideration as their cousins in Hamilton. I don't understand how the independent loggers and the people who work in the sawmills of Chapleau can't be treated like the people who work in mills like Domtar in Cornwall. I don't see the artificial differentiation that the government is making. I think they had to get some Philadelphia lawyers around to kind of write this policy so they could exclude northerners from this particular situation.

What the government needs to do is (1) provide those services as close to home as possible, and that should be your number one priority; (2) treat the people in the rural areas of northern Ontario as well as in the urban centres equally to their southern cousins; and (3) provide a health care system without barriers.

One of the interesting things—I was watching a news report here in Toronto, Mr Speaker; you may have seen it too. They said that 50% of the people who were offered radiation treatment in centres other than by their own homes—that is, they would have to come to Sudbury or Thunder Bay or go into the great United States of America to get treatment—even though all their costs would be paid, would not travel. Their life was at stake,

but they still would not travel the distance, for a variety of reasons.

Those very same reasons affect northern Ontario. So the issue is not strictly money, but it is partially money.

We look at the mortality rates in northern Ontario for a whole host of diseases and find, unfortunately, that in many instances they are much higher than in southern Ontario. Part of the reason is that they cannot access in a reasonable and acceptable fashion the services provided by the Ontario government.

My other colleagues wish to speak, but I was sent here by the people of Algoma-Manitoulin to speak about those folks in rural northern Ontario who demand treatment equal to all those people in southern Ontario. I don't think that's a lot to ask. Make it the same. It's very simple. It would not even cost you a great deal of money. Why wouldn't you do it? I asked the Premier that last week. I got a song and dance. I thought he might stick up for northerners; I was wrong. For goodness' sake, there has to be some shred of morality over there. Treat the people in northern Ontario with the same dignity and the same equality as you do the people here in southern Ontario.

Hon Tim Hudak (Minister of Northern Development and Mines): I'm pleased to get engaged in this debate this afternoon and to provide some perspective, both on ensuring that those who are watching at home have a clear understanding of the facts in this situation and also to talk about how this situation with respect to travel is a telling indicator of the lack of policy opposite and how the travel issue fits in with an overall plan by the Mike Harris government and the Ministry of Health and Long-Term Care to improve access to services in northern Ontario and in fact in all parts of Ontario. That's the big issue: getting access to care as close to home as possible.

Those at home have heard in this debate, and in the previous questions and petitions in the House, about a couple of different programs. I want to be clear on what those two programs do. The northern health travel grant has been referenced a couple of times already today. You can tell by its name that the northern health travel grant is a unique program for those in northern Ontario, to reimburse northern residents for travel expenses for specialized services. That program has been around for some time, at least through three consecutive governments and, as I said, is unique to northern Ontario. There is no similar program in the south, the southwest or the southeast. I'll give an example to make that clear for those at home.

Let's say there was a patient who was going to travel from Smooth Rock Falls to Sudbury, a bit of a trip especially in the wintertime, considering the conditions. The province of Ontario—and this has been the case in consecutive governments—helps defray those expenses for, say, a hip replacement. That individual would have some coverage to help defray her costs for travel, gas and such. If somebody was heading a similar distance, say from Tobermory to Toronto, for this type of surgery, that

individual would not receive any funding from the province to mitigate the travel expenses. I think that's a good case in point to indicate the differences between the northern health travel grant and the lack of a similar program available to southern Ontario patients. That's certainly a program this government is committed to, to ensure that patients who have to travel significant distances in northern Ontario have access to some help from the taxpayer to cover those expenses. Again, to make it clear, that program is unique to the north; there's no similar program in southern Ontario.

As you've heard the Minister of Health indicate, that program is currently under review. The feedback we're receiving in the House today and the feedback we hear when we're travelling across northern Ontario and other parts of this province is brought to mind when reviewing that program to make sure it adequately addresses the health care needs of Ontarians.

1610

The other part of the argument in this debate today has to do with Cancer Care Ontario. As was described by the member from Thunder Bay earlier in the debate, that developed because there were waiting lists for cancer treatment. It's an unfortunate fact across Canada, and true as well here in Ontario, that there are often waiting lists for cancer treatment.

It was felt by Cancer Care Ontario that the waiting lists for prostate cancer and breast cancer were getting too long, and there was some concern about the patients' ability to access those services in a timely manner. So Cancer Care Ontario made sure those patients could travel to a centre—if they couldn't get that service promptly, closer to home in their nearest centre, they would be re-referred to another area. Potentially, if somebody couldn't get treatment in Ottawa, they were referred to Buffalo or Detroit. If they were from the London area and couldn't get treatment, they could go to the north and vice versa. If they couldn't get treatment in time for breast or prostate cancer in northern Ontario, they would be re-referred to southern Ontario.

Obviously, individuals—men, women and families—in some very difficult and desperate circumstances, want to ensure they get access to radiation therapy as quickly as possible. Obviously too, in the time this may take, significant costs could be incurred. So Cancer Care Ontario has offered to cover the costs of travel and accommodation and some meals for those patients to travel. I think Cancer Care Ontario has been clear, too, that whether a patient would travel from the south to the north, the north to the south, the east to the west or from Ontario to the States, patients in similar circumstances would be treated equally, that there is indeed no discrimination in this program. We've heard that from Cancer Care Ontario on several occasions.

It's often worthwhile looking through old Hansards. The debates we have today sometimes reflect debates that have happened in the past. Sometimes issues that bubble up in the health care system aren't unique; for example, doctor recruitment, a long-standing issue that

certainly predates all of our time in this Legislature. I guess the matter is which governments are moving to address these issues in long-lasting and sophisticated ways. What's interesting too is that this debate occurred at an important time: the last legs of the Peterson Liberal government and then the new Bob Rae NDP government coming in in 1990. A similar situation developed with waiting lists for cancer care, and it was determined by the Liberal government of the day to refer those patients to other areas and to cover their costs.

There are a couple of good quotes from Hansard. Howard Hampton, now the leader of the third party and at that time in opposition in 1990, said, "Over the past eight months, southern Ontario patients who have been referred to Thunder Bay for specialist treatment have received full funding for their airfare, hotel accommodation and meals from the Ministry of Health." The NDP was arguing at the time that the situation needed to be fixed, and more equitable treatment was their argument.

Indeed Shelley Martel, who spoke earlier today, the member for Nickel Belt at that time, arguing with Liberal Health Minister Elinor Caplan in 1990 said: "The travel grant in this province is woefully and totally inadequate. This Minister of Health and this government"—the Liberals—"have done absolutely nothing to change that, in spite of the cases we've raised in this House." She indicated that none of the costs for accommodation, airfare and wages lost when people have to take time to go with relatives in search of medical treatment in southern Ontario were covered. She wanted the inadequacies in the northern health travel grant addressed.

I think what's instructive, what's very telling about this is that the Liberals in office at that time, facing a similar situation, did nothing. Nothing was done. They heard the debate and did not move to address the situation; they did not respond to the criticisms they heard in the debate in 1990. That's telling, and it's instructive. In fact, many members sitting in the House arguing one side of the issue today were arguing the complete opposite side just a few years ago.

Hon Janet Ecker (Minister of Education): No. Tell me it isn't so.

Hon Mr Hudak: The Minister of Education is shocked by that. But even in my short time in this Legislature, I have discovered that unfortunately that happens from time to time from the members of the opposition. It's sad but true.

Again, it's instructive and telling that the NDP then came into office, and despite the rhetoric they had in the House, as I read, in 1990 both the leader of the third party and the member for Nickel Belt, who was the Minister of Northern Development and Mines in that Legislature, had five years to address the concerns they have brought forward. In fact, their response was not to address those concerns, but instead to tighten the criteria for the northern health travel grant, reducing access to health care dollars to help those travelling. I think it's quite ironic that, having had the opportunity, both parties

in the opposition did nothing to address this and they bring it up today in the House like it's a new issue.

I think it's fair if they want to make the debate, "Is the northern health travel grant adequate considering the significant distances that northern patients have to travel, considering the weather conditions, considering the time away from families?" That's a fair debate, and we're taking that advice as we review the travel grant. But I think the inflammatory rhetoric, the terminology, some of the stunts are unfortunate, are unproductive and, as I described, are inaccurate. It's a long-standing issue that because of distances, small populations in northern Ontario, a resource-based economy, northern concerns aren't always heard, whether it's in Toronto or Ottawa. I think it's the case, if you look at Hansard, that those arguments have come for any government, whether it was a Liberal government, Conservative or NDP. This feeling of northern alienation stems way back.

I think it's unfortunate, this twisting of facts, fanning of the flames, trying to exploit that vein of northern alienation. It may score some points for you in the newspapers, it may give you some pictures in the papers or in the press, but I'm afraid it is, in my view, an opportunistic twisting of the facts. In fact, CCO and Dr Shumak have both come forward to say that in the opinion of the doctors, the experts in the matter, they are treated equally, whether they come from the north or the south.

If the opposition were to argue that if they came from certain distances, if they had to travel from certain distances, they should be treated fairly across the province, I think that's an interesting point for debate. But the argument of the opposition is that the patient from Sudbury should be treated the same way as a patient from the south. There's also the situation I brought up with respect to somebody travelling from Tobermory to Toronto, who would have zero, whereas somebody in the north would at least be assisted in their health care.

So to make the distance-based argument is fine; that's something we could talk about and we could examine. As I said, the travel grant is under review. But the notion that somehow this is a north-versus-south issue is misleading and seeks to exploit a vein of alienation that is not accurate. If there are comments that I can bring back, that I can share, on how we can examine the travel grant, how we can ensure that northern patients are treated adequately, I'm very pleased to do that and share that with my cabinet colleagues and with the Minister of Health, but I do worry about the political tone that has come up in this debate.

That's just part of the issue. To sum up that point—because I know the member for Timmins-James Bay wanted to speak—both parties had that opportunity for five years or so to address the issue, and nothing was done. Similarly, in both platforms, in terms of the debate you're making today, it was totally absent; any mention of this type of increase in travel costs was not incorporated in either document. So five years or so to try, but they didn't say anything. In their chance for a platform,

their opportunity to govern potentially in 2000, nothing was said as well. That's why I think it's more about politics than health care.

While helping people to accommodate their expenses is important, to help relieve some of that burden of travel—and I've discussed my concerns with respect to some of the distances in northern Ontario that need to be travelled for medical treatment—the most important issue is to ensure that people have access to health care services as close to home as possible. Ideally, you want to ensure that that patient who we're debating travelling from Sudbury to Toronto can get that care in Sudbury or in Thunder Bay or Timmins. I think the fact that the opposition tends to dwell on travel alone indicates that they are satisfied with the system. I hope they're not satisfied with a system where northerners have to travel from point to point. Instead, I think we should concentrate on doing our best to put resources as close to home as possible. That's why you've seen this government move to build a new cancer care centre in Sault Ste Marie, to expand the capacity in Sudbury, to expand the capacity in Thunder Bay, a \$100-million investment in the state-of-the-art hospital in Sudbury, and similarly in Thunder Bay.

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I had the chance as well to be in Sudbury not too long ago to participate in a network that linked up a number of hospitals in northern Ontario. In fact, we could hear the heartbeat of a patient in Timmins across an electronic stethoscope in Sudbury. We're trying to address those issues, to overcome that distance. Certainly, the Ministry of Northern Development and Mines has invested significantly in trying to help small northern Ontario communities invest in needed equipment to attract more doctors to deliver those services.

Another good program is the direct health program, a program that began in northern Ontario in particular to try to allow 24-hour access to primary care services through a 1-800 telephone line to have contact with a nurse who could give advice to somebody who was, say, concerned about their child crying through the night and whether they should go to the emergency or seek care elsewhere. There is another example of working on technology to overcome the distance. Similarly, in the northwest recently, some funding was announced to improve dialysis services so people in the Fort Frances area could get that treatment closer to home rather than having to travel long distances, say to Thunder Bay.

As well, the province of Ontario, under the Mike Harris government, has been successful in recruiting a number of doctors and health care specialists to the north with some special initiatives, whether it's a community based contract or special incentives to work the emergency room, looking at ways of making sure that the best health care professionals will be there in the cities of the north, as opposed to having northern patients travel to the south.

Similarly, we've done some work on the Northern Academic Health Sciences Network, the NAHSN

program, funded through the northern Ontario heritage fund under the Ministry of Northern Development and Mines, again to try to improve the links between health care facilities to overcome that distance issue and to ensure that doctors can stay in touch, and to help train more doctors so they stay in northern Ontario.

I think the overall plan should be to continue to concentrate on ensuring that northerners have quick access to health care services as close to home as possible, certainly with respect to travel grants, an issue that we are reviewing to ensure that those particular issues are addressed. But it all fits into the overall government plan to ensure that whether you're in the Sudbury area, whether you're in the Timmins-James Bay area or Moose Factory, where I was on Friday, you'll have better access to quality services as close to home as possible. I will continue to work hard as Minister of Northern Development and Mines to ensure that patients do have that access so we can overcome the travel issue and ensure that they have access to the best quality services as close to home as is possible.

Mr Bisson: What is truly disappointing in this debate and what is truly disappointing with this issue of how we're treating cancer patients in northern Ontario is the constant spinning of lines we've heard, first from the Premier, who is trying to make this out to be an issue of unfairness for southerners, but, quite frankly, the same kind of message being spun by the Minister of Northern Development and Mines.

I want to say to the minister directly across the way, to Mr Hudak, I've got some respect for your position and I have some respect for you as an individual, but I really have a problem with you standing up in the House today and just mouthing the lines of your Premier. I realize, in sincerity, you are appointed by the Premier and you have to follow his direction, but we in northern Ontario expect to count on our Minister of Northern Development and Mines to be our spokesperson at the cabinet table. Sometimes that means, quite frankly, that you have to stand up against your Premier.

I know that because we had to do that ourselves when we were in government, and I'm sure the Liberals had the same type of battles with their Premier when they were in government from 1985 to 1990. But it's always been understood at the Ministry of Northern Development and Mines that that minister is a spokesperson for the north. I hope you change your line and you don't carry on with the line you're doing now of strictly defending the Premier.

Let's not mix the two issues. You guys, as a defence, are trying to lump in how we're treating cancer patients with Cancer Care Ontario with travel grant patients. They're two different issues. We've been saying that from the beginning. Yes, we could have a debate about how we're dealing with northern travel grants. Yes, I'm prepared to enter into debate about how we strengthen that program and I'll give you a couple of suggestions. But the issue here is not the northern travel grant program; the issue is how we deal with cancer patients in

this province who have to travel for treatment. It's very simple.

If you're living in Timmins, Red Rock or Moosonee and you have to get cancer treatment, you can't get it in your home community most of the time and you need to be referred to a cancer centre; in this case, Sudbury, if you're in northeastern Ontario. Those patients are paid a one-way premium based on the mileage they have to cover to get treatment. But if you're a patient in southern Ontario—let's say you're in Hamilton and Hamilton can't treat you because your hospital is full. You're being sent up to Thunder Bay or Sudbury and being paid the full cost of transportation.

We're saying that's not fair. As northerners, we think it's great you're paying 100% of the cost of southerners. That's not the problem. You should treat northerners the same. If we establish a program that says for people who have cancer and have to travel in this province in order to receive treatment we are going to pay 100% of the cost, that program must apply to all Ontarians, not just people in southern Ontario.

It's been very disappointing to listen to the debate and to the answers to the questions in the House when the Premier, all of a sudden, really started to hone in on what the communications strategy of the government was, which was to say, "Southerners are discriminated against and somehow or other northerners are doing quite well, thank you, and they don't need our help."

I don't accept that and I don't think you do. I know you well enough to know you want to do the right thing when it comes to northern Ontario. I'm asking you to do it on this one. Don't mix the two issues together. This is a simple issue. If I'm a cancer patient in Moosonee and I have to travel to Sudbury or Toronto, I'm treated differently than a cancer patient who resides in Sarnia. That's the point.

If you want to talk about how we enhance the northern travel grant program to deal with other issues, I'm more than prepared to get into that debate. I agree with you. I wish that in the time we were government, from 1990 to 1995, we could have been in a position to strengthen that program. You guys want to play politics with this. The reality is, we were in the middle of a recession. You guys are sitting in a surplus situation. You're in a position to increase that program, if you so choose, and I'll support you on that. I'll go out and campaign on it with you, if you want. I'll stand on the podium and say, "Minister, you've done the right thing. You've increased the northern travel grant program for all patients who need to travel for health care treatments in northern Ontario."

But let's not mix the two issues together. The issue here is, we have northern cancer patients who are treated differently than cancer patients from southern Ontario. As you know, there is a legal challenge coming before you that I think is going to stand up in the courts at the end of the day because the argument they make under the charter is, once you apply a program in the province or in the country, or you apply a law, you cannot apply it

differently to different classes of people. The Constitution is very clear about that.

What they're saying is that you created a program with money from your government to Cancer Care Ontario to offset the travel costs of southern cancer patients when they need to travel for treatment and you pay 100% of the cost, but when people in northern Ontario need cancer treatment you only pay according to the northern travel grant program. You're paying out of two different programs. You can do that all you want, but that's the issue.

If you want to talk about the northern travel grant program, I'll give you one example. Just today, I got a phone call from my office where—I'm not going to use the gentleman's last name because I don't have permission. But my staff tell me a gentleman came in with the initials C.L. His son or daughter, I'm not sure which, a young child three years old, is in a situation where they had an accident and need to get an eye replaced either with a transplant or with a prosthetic eye.

This parent is having to travel from Timmins to Toronto to get treatment for that child so, hopefully, that child can get his or her vision restored. It's costing that father \$600 every time he comes down, at bare minimum. By the time he gets in his car, drives down, brings the child, gets to the hotel room, then goes back to Timmins, it's 600 bucks, and the travel grant program doesn't cover his entire costs, and that's not even talking about the loss of wages. This gentleman has come to our office saying, "I've now travelled four times. I will travel another 40 if I have to because it's my child but, Jeez, I need some help. This is expensive. I've just gone back to work, I'm not making a lot of money and I can't really afford to do this. Is there any help?"

I say to you, Minister, yes, let's increase the northern travel grant program so fathers like C.L. are able to get the money they need, not to give them more than they're entitled to but to at least allow them to cover their costs when they travel for treatments they can't get in their own communities.

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I say to you, Minister, and the Minister of Northern Development and Mines, if you say to me today that your government is prepared to look at some ways of increasing the northern travel grant program to deal with all patients who need to travel more than 100 kilometres in northern Ontario, as under the current program, I'm more than prepared to work with you on that. I think we can do it. This province is in a surplus position because of what's happening in the economy in North America. All governments, ours and the federal government and the American government, are running now with more money coming in every year than is going out. I say we can certainly take a few dollars, put them aside and increase that program so those people who need transportation to get treatment are able to do so. I agree with you. I will work with you on that. Today, tomorrow, whatever you want to do, name the place and I'll be there with bells on. I think you and I both understand that's an

issue we should deal with now that we're in a surplus position.

Minister, when we're talking about cancer patients, it's not the same issue as the northern travel grant program. Don't mix the two together. I understand in this place—the minister stood up a little while ago and said that the opposition is having fun with that, that the NDP, Shelley Martel and myself and Howard and Tony Martin, are out there in northern Ontario chastising the government for the way they're treating cancer patients and are making hay of it in the media. Darn right we are and, I think, if you were in northern Ontario with me, you would be doing the same thing. I know you. You're in the same profession that I am. You're there to represent your community. We're called politicians and we get elected to represent them. I know that if Tim Hudak's constituency in northern Ontario were affected, he would be out there yelling at the top of his lungs and talking to any media outlet that would allow him, if he were in opposition, or, I would hope, if he were in government. I've been on both sides and I've done the same things from both sides of the House.

Minister, what we need you to do is to lobby within your cabinet and talk to the Premier and say, "Listen, these are two different issues. Let's not get caught up in the re-referral issue. Let's not get caught up in trying to say that southern Ontarians are discriminated against—against northerners." Listen, it's not the issue. It's two different things. If I have cancer and I need treatment in Moosonee, there ain't no other game in town. You've got to go to Sudbury. If you're in Hamilton and you've got to get cancer treatment, there's treatment in Hamilton or you can go down the highway to Toronto. There's not a huge cost involved for that patient to get treatment. They can get it in a timely fashion. But for people travelling great distances in northern Ontario, that's not the case.

You know that. You're an intelligent human being. I respect you as an individual and I know you understand that that's the issue. I'm just asking you. You say you don't want to be partisan about that. OK, let's not be partisan. Work with us to find a solution; work with all members of the north, in the NDP caucus and Liberal caucus, to find a solution. Convince your Premier that he's wrong. Yes, that's tough. It's a hard thing to do. I remember having to go against Bob Rae on a couple of issues when he was our Premier. It's not easy standing up to a Premier, especially when you're only a parliamentary assistant. But every now and then you have to do that because you're elected by your constituents to have that fight. At times, yes, you will pay a price, but at the end of the day you have to look at yourself in the mirror, look yourself square in the eyes and say, "Have I done my job?" I feel that I have and I know you want to as well.

I'm appealing to you, Minister, to work with us. Let's not confuse the two things. There is the issue of what happens to cancer patients, how they're treated in this province; northern cancer patients are having to pay for travel to get life-saving treatments, where people in

southern Ontario, when they need to travel, are paid the entire cost. People in southern Ontario are treated differently from people in the north. That's the argument we make. I don't argue that you should take away that program from southerners. I agree with you, if somebody's in Hamilton and the hospitals in Hamilton are full and the hospitals in Toronto are full and that person has to travel to get life-saving treatment, by all means let's send them to Sudbury, Thunder Bay, wherever we've got to get them well, and yes, let's pay their cost—no argument. I think that's a noble idea. But you've got to do the same for the people of northern Ontario.

We have no other options. If I'm sitting in Timmins or Red Rock or Moosonee or Kapuskasing or Hearst, we're not treated the same. We have no choice. You must travel.

This weekend—j'ai eu l'opportunité de rencontrer une couple d'individus dans la communauté de Hearst. Je ne sais pas si vous la connaissez, mais dans la ville de Hearst il y a un groupe de personnes qui ont survécu les traitements de cancer. Ce sont des personnes qui ont déjà été traitées pour le cancer et qui sont correctes. Eux se demandent où ça va aboutir, tout ce document-là. Qu'est-ce qui va arriver à la fin de la journée quand ça vient à toute la question de comment on traite les patients du nord ?

Moi, je veux être capable de dire à ces patients à Hearst que la ministre est d'accord avec eux autres, qu'il y a un problème, qu'elle reconnaît qu'il y a un problème, que l'on traite nos patients de façon différente et qu'à la fin de la journée on va s'assurer qu'il y ait un programme adéquat pour les patients de cancer du nord de l'Ontario tel qu'il existe pour les patients du sud de la province.

So, Minister, I don't want to belabour the point. I think I've made my point. I think you understand what I'm saying. This is not a question of playing politics. The reality is that we're all elected to represent our constituents, and we in northern Ontario right now are dealing with a very real issue. It's hard. You've got people coming into your constituency office, as I did two weeks ago when I had one woman come who said, "My mother is dying of cancer. She's not going to make it. But she has to go get some treatment to give her some hope that maybe there'll be a miracle." The treatment she has to get you can't get in Timmins, so she has to go to Sudbury. The daughter is having to pay the cost of this; her mother's in no position to pay for it. She asked, "Why should I have to pay when I see somebody from Toronto or Hamilton who sits at a Sudbury hospital getting treatment next to my mother and tells me, 'We got everything paid,' and I'm not?" She feels rather frustrated about that. That's the real issue, so let's not confuse the two.

The northern health travel grant is a separate program. It deals with patients needing all kinds of treatment of all kinds of diseases, with services you can't get in your home community of Timmins if you live more than 100 kilometres away. In Hamilton there doesn't exist such a

program because if your hospital can't treat you, you can go to the hospital 20 kilometres down the road and get treatment. That's why there's no travel grant program for southerners on other issues, because, bar none, more times than not, they can get the services close enough to their communities so they can get treatment. But when it comes to people in northern Ontario, we don't have that luxury. People are travelling, as you know, Minister, great distances—500, 600, 800 kilometres. In my riding, people travel upwards of 1,000 kilometres to get treatment. That's why we have a travel grant program. The issue of cancer treatment is separate, and let's not mix the two up. Let's do the right thing for northerners. I know that's what this is all about.

Mr R. Gary Stewart (Peterborough): I was going to say I'm pleased to speak to this resolution, but I'm not, because of the type of resolution it is, that it deals with cancer, something that, as the member for London West said, seems to touch us all, which is most unfortunate. The reason I did want to speak to this resolution is that I believe the wording is extremely deceptive and I wanted to make sure I had the opportunity to try and get out what this is all about.

I want to just make a comment that there are two programs. One is the northern travel grant and the other is, of course, Cancer Care Ontario's referral program. All Ontario cancer patients who are referred outside the region where they live for radiation treatment, for a service that is normally available in their region, are eligible for this subsidy. Because patients in northern Ontario do not face unacceptably long waits to access radiation in their regional cancer centres, the majority of patients who require support under the referral program are from southern Ontario. Again, it's a population issue, it's an issue of having adequate facilities.

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I've listened to those folks about the long distances the folks in the north have to travel, and I can appreciate that. But being from a rural part of a riding in Ontario, I know that many of the people in my constituency and to the north, in the area of my fellow caucus member, the Hon. Chris Hodgson—certainly those in the Burleigh Falls area, Lakefield, Maynooth, Bancroft, Apsley and that area—who have got to go to Kingston or Toronto or London, have a long way to travel. And they are indeed as sick, I'm quite sure, as those who travel equivalent distances in the north country. I can tell you that there are many people from that area, because the economy is not booming as well and there is not the opportunity for high-paying jobs—those folks would be most appreciative of the 30.4 cents if they were able to get it.

The northern Ontario travel grant being permanent believe is a major help to those from northern Ontario especially to assist with those travel costs for specialized health services such as dialysis, cardiac care, AIDS whatever it might be. Again, in southern Ontario that did not happen, and a good example of it was dialysis in our area. Again, I talk of the communities I mentioned.

For 15 years they tried to get a dialysis unit in Peterborough. Finally, within eight or nine months after we formed the government we did get a dialysis unit, so those people did not have to travel three times a week to Oshawa, Toronto or Kingston. When you're looking at three times a week, two to two and a half hours, that is a major cost for those folks in southern Ontario, without any assistance whatsoever.

I believe that Cancer Care Ontario, when it was established a few years ago, was a major move forward for Ontario, the fact being that they developed a temporary program to ensure that all patients in Ontario who require radiation received their treatment within a medically acceptable time period. I guess for any of us who do have cancer or who have had loved ones with cancer, that is primary. This government, our government, believes patient care is primary and will happen, and if you look at some of the major dollars that have been put into health care in this province in the last five years, it's absolutely unbelievable.

I look at my own riding. We now have a dialysis unit as of five years ago, with a new one coming to our new regional hospital. We have a new regional hospital, the sod-turning hopefully will be this spring. We have a cath lab second to none in North America; in fact, I believe it is the only swing lab at the moment in North America. We just completed the 500th test last week. Those people were travelling to Ottawa, Kingston, Toronto, Hamilton, London—three or four hours—and not getting any type of assistance. An MRI is coming. So I believe that the province is very cognizant of the fact that we have to continue to invest more money into health care.

I'm glad that the federal Liberals finally decided to give us some of the money that they took back from us five years ago—not all, mind you, but they finally realized that they have to be part of the solution in health care. It was interesting to note last Friday, when the minister announced \$471 million invested in operational costs of the hospitals in Ontario, what it will do for hospital services.

I get very concerned when I hear the opposition talk about health care and how terrible it is. I believe that if you are criticizing health care, you are criticizing health care workers. I want to publicly compliment all the workers who are involved in health care, whether they be doctors, nurses, workers on the floor, whoever they might be. They need to be complimented and told, "Thank you for what you're doing." The other thing I want to comment on is all the volunteers in this great province who assist people with cancer and other medical problems by driving them and assisting them to get to these centres.

I also want to make a comment about our government. We have been playing catch-up since we became the government back in 1995. Whether it be in roads—it was interesting to see the auditor a year or so ago saying, "You're going back the other way," yet we're spending the largest amount of money on roads this year that has

ever been spent in this province, because previous governments did absolutely nothing.

I look at what is happening with the investment in cancer centres that is proposed and is going to happen: \$180 million for the construction of five new cancer centres in Peel, Durham, Sault Ste Marie and St Catharines, and expanding three existing sites in Sudbury, Hamilton and Windsor. Without any doubt that is a tremendous investment. Certainly the economic environment in this province helps us invest money in health care, and I compliment the ministry and the minister for his persistence in making sure Ontario indeed is open for business, and we will continue to do so.

My time is up, but I want to say that I want to make sure everybody in this province gets quality care, whether it be for cancer, cardiac or whatever. I compliment the Ministry of Health for their investment in health care in the province, making patient care the priority it is, the priority it has been and will continue to be under our government.

Mr Rick Bartolucci (Sudbury): I proudly stand in support of the resolution put forth by the member for Thunder Bay-Atikokan, because we on this side of the House know it's the right thing to do, the proper thing to do and the fair thing to do. What concerns me a little is that presently in Ontario we have an issue of discrimination that's taking place. It takes place against people in northern Ontario who have to travel out of their area for cancer treatment. Clearly this is an issue of fairness that is not happening in Ontario now. To compound the matter, we have a Premier who has decided, for God knows what reason, to allow that to continue without understanding the significant burden it's placing on northerners. We have a Minister of Northern Development and Mines who stood in the House a little while ago and said, "I agree with my Premier. I agree that no discrimination is taking place. I agree when Mike Harris says there's discrimination but it's against southern Ontario." It shows two things. One, it shows a clear lack of understanding about the issue. For the people of Ontario today it is simple. We are talking about cancer patients who have to travel for treatment. Thank God the people who have to travel from southern Ontario to northern Ontario or to the United States are being compensated. That's never been an issue with this caucus. The issue is that those in northern Ontario who have to travel for cancer care to southern Ontario or to points outside their home centre are not being funded fully or the same as southern Ontario residents.

1650

So it is an issue of fairness. It is clearly an issue that this government cannot stand on any rational policy and defend. I ask the people of Ontario and I ask the government members: bring forth those northern cancer patients who are so happy with the policy the way it's written. We've outlined time and time again those who are unhappy with the policy, those who are being placed under enormous strains financially. We're asking the government to stop the unfair treatment.

We're not asking you to enshrine something forever. My proposal to the government—I made this proposal not only to Mike Harris but also to the Minister of Northern Development and Mines, to the Minister of Health and to anybody else who would care to listen and respond to correspondence—is treat us the same. Until you get the northern health travel grant or a health travel grant in order, treat cancer patients in northern Ontario the same as you're treating them in southern Ontario.

Do you know what? We stand here with no argument if that were to happen. If you were to treat Janice Skinner the same as you treat all the cancer patients in southern Ontario who have to travel out of their home jurisdiction, we would have no argument. Janice Skinner, one of the co-chairs of Ontarians Seeking Equal Cancer Care, would be happy. Certainly the chair, Gerry Lougheed Jr, would be happy.

The reality is that's not happening and it's very simple to fix on an interim basis. Here is the solution. The Minister of Northern Development and Mines stood up and said, "Give me the solution." Well, the solution is simple. Until you solve the problem with your health travel grant, fund cancer patients in northern Ontario who have to travel for treatment the same way you fund cancer patients in southern Ontario who have to travel for treatment. It is no more complicated than that. The problem is solved.

I think the people in the House today, and I also think the people of Ontario should know that the real dilemma we have here started a while ago when a single voice from northern Ontario, Gerry Lougheed Jr, who sat on Cancer Care Ontario, decided what was happening and what was being proposed by the government and Cancer Care Ontario was unfair to the northerners. This started a long time ago at a Cancer Care Ontario meeting, when Cancer Care Ontario decided they would implement this policy, with the approval of the government, and probably with the direction of the government. Gerry Lougheed Jr, a champion of fairness, a champion of equality, decided we must stand up for northerners around Cancer Care Ontario tables. That's where it started. We've just extended this fight.

He lost his position on Cancer Care Ontario. It's unfortunate for the people of Ontario because, without a doubt, Gerry Lougheed Jr is probably Ontario's greatest cancer advocate, and he has the history to prove it. So the people of Ontario lost an advocate. But you know what? In northern Ontario, we gained a very strong voice that will not quit until there is equality, until there is balance, until there is fairness and until the discrimination ends.

We can call it health care apartheid, and you can call it whatever you want. The reality is that whenever there is a lack of fairness, then there is discrimination against one party. In this instance, sadly, it's against northerners. But it's a situation that could be easily and quickly remedied if the government understood, as I know they do in their heart of hearts, but because of a politically driven agenda, they won't admit it. All they have to do is say, "From now until we fix the health travel grant, cancer patients

travelling from northern Ontario to southern Ontario will be treated the same as southern Ontarians travelling to northern Ontario for treatment." Cancer knows no geographical boundary. A tumour is a tumour is a tumour. A cancer patient is a cancer patient is a cancer patient. It is no more complicated than that.

Earlier, the Minister of Northern Development and Mines said that we get up here and we do what we have to do as opposition members to attract attention. Of course we're going to do that. That's our job, especially when we see that we're not, as northerners, being treated fairly. What he doesn't understand is that it's his job, as the Minister of Northern Development and Mines, to stand up for northerners. The reality is, he doesn't do that, and I don't know the reasons why. I'm not about to guess or surmise what those reasons are, but clearly we know in northern Ontario he's not doing that. While I have respect for the office, I must say I would have much more respect for the individual in the office if just once he stood up for northerners and he said, "Yes, there is an injustice here. Yes, northerners are right. Yes, those who represent northerners are right. Clearly, this wrong has to be righted. Clearly, Mike Harris is wrong in this instance. Clearly, I as the Minister of Northern Development and Mines will defend the rights of northerners, as I'm charged to do."

But what do they do? They go back to what they say are the lost 10 and a half years, and then they say that the NDP withdrew \$5 million from the northern health travel grant and they try to put the smokescreen around it. "Yes, that's right; if they'd put in the \$5 million and increased it by \$1 million, we wouldn't have a problem."

But you know what? Let's not confuse this issue. This issue is not one that's complicated. You fix the northern health travel grant, and while you're doing that—we know you're going to do it. We know you're going to make that announcement very, very soon. All the writing is on the wall. It's so obvious, it's almost pathetic. I don't know why you just don't do it. But what you haven't done, what you clearly refuse to do and what is wrong, is that you refuse to treat northerners the same as southerners. That is what is upsetting the people of Ontario—not only northerners.

Lots has been written about the government's reaction to this dilemma, but let me quote an editorial that appeared in the Sudbury Star. Those of you who are in the know will know that the Sudbury Star, by and large, gives you very favourable editorials. I respect the Sudbury Star for its editorial ability. I don't always agree with their editorials; however, today I agree. In Saturday's paper they say, "Harris Should Be Embarrassed." It's a very long editorial, but I'm only going to read a couple of sentences.

"Premier Mike Harris's defence of the province's assistance to northern cancer patients is insulting to cancer patients and should be embarrassing for him and his government."

I believe the first line of that editorial says it all.

1700

Mr Wayne Wettlaufer (Kitchener Centre): I'm pleased to stand and speak to this today. The one thing that I think has been ignored during the course of the debate is the fact that everybody wants equal treatment, wants proper health care, in each of their own ridings, each of their own communities.

I'm no different from the northern members of the opposition party. For 10 years in the riding of Kitchener, in fact in Waterloo region, we did not have proper health care at all. We did not have cardiac care facilities. We did not have cancer care facilities. We didn't have an MRI. We didn't have dialysis. The patients in Kitchener had to travel to London, Hamilton, Toronto or wherever they could get the treatment. So I do sympathize with them in what they're trying to achieve.

However, I think we should realize that during the course of this debate there's been much said about government funding this or that element of health care. We've all said many times in this House that since 1995 our government increased funding from \$17.6 billion in 1995 to \$22 billion—in fact, \$17.4 billion in 1995 to \$21.6 billion, and it's going to be \$22 billion this year. Much has been made of that. The reason we have had to increase funding dramatically in health care was to meet needs that were not properly planned for by the two previous governments from 1985 to 1995.

I want to explain something here. We've been under a great deal of criticism for the "emergency crisis." We put \$8.5 million into emergency physicians a couple of weeks ago, and I would like to quote the editorial in the Kitchener-Waterloo Record within that week; I didn't date it, so I don't know the date exactly. It says:

"This change comes shortly after the government also increased the number of beds in emergency wards and announced that it would expand its flu program in an attempt to keep Ontarians in good health and out of hospital.

"Regrettably but perhaps predictably, the opposition parties seemed unable or unwilling to welcome this news. Liberal leader Dalton McGuinty, for example, accused the government of 'tinkering around the edges' of the emergency room problem.

"The Ontario Medical Association took a more reasoned approach. Its president, Dr Albert Schumacher, said he was pleased the government had recognized the need to recruit and retain emergency room physicians. Schumacher also said that two years ago Ontario's health care system finally started improving again after a decade of decline."

So it started improving under our mandate after 10 years of decline under the mandates of those two governments. They did not plan. They knew what the needs were, but they did not plan.

Cancer Care Ontario has recently issued a media statement, October 25, and in their media statement they comment:

"The travel subsidy provided under the re-referral program does not discriminate against anyone. All

Ontario cancer patients who are re-referred outside of the region where they live for radiation treatment, for a service that is normally available in their region, are eligible for this subsidy.

"Because patients"—and this is very key—"in northern Ontario do not face unacceptably long waits to access radiation in their regional cancer centres, the majority of patients who require support under the re-referral program are from southern Ontario. However, northern Ontario patients have received support to travel to southern Ontario to receive brachytherapy, a specialized form of radiation that was, but currently is not, available in Thunder Bay."

In addition, Kenneth H. Shumak, MD, president and CEO of Cancer Care Ontario, recently wrote to Health Minister Witmer—on June 1, 2000, as a matter of fact—and he said:

"In response to recent conversations between our offices regarding the northern health travel grant program, I want to convey my support for your recent commitment to review this program." The program is under review. "As you know, as chief executive officer of Cancer Care Ontario, I speak on behalf of CCO.

"I understand that the government's decision, on the recommendation of CCO, to cover all travel and accommodation costs of cancer re-referral patients has resulted in a misperception that there is inequitable support for northern residents needing to travel for specialist care.

"As you know, the re-referral program covers only cancer patients who are re-referred for radiation treatment and provides full coverage of their travel and accommodation costs. This is a temporary program to ensure that those who need early radiation treatment can be treated in a timely manner ... patients who are re-referred for radiation treatment in northern Ontario are treated exactly the same way as southern Ontario re-referral patients.... The NHTG program is a permanent program designed to assist any resident of northern Ontario who must travel an appreciable distance for medical care. The two programs are designed to meet different purposes and needs."

We're dealing with a health care problem in this province that is not dissimilar to health care problems right across this country. But everything can't be done at once. As I mentioned to you earlier, the program is under review.

I was talking before about the fact that there hadn't been proper planning for 10 years. Again, we're talking about ER ills which, according to some officials, are chronic. Dr Harold Fisher, assistant director of the emergency department at Mount Sinai Hospital, said, "It's just the tip of the iceberg. We have fundamental problems....

"This is a very old problem. It's at least 10 years old.... This is not a new issue. It's not a new disease."

Had the Liberal government when they were in power and the NDP government when they were in power done proper planning, we wouldn't be sitting here discussing these problems. We wouldn't be discussing them today.

I mentioned to the Minister of Energy, Science and Technology today how I felt. He, of course, is the former Minister of Health and he said, "Well, Wayne, if they had done planning, we might not be here." That is true. The people of Ontario were looking to us to address the problems that they knew the two previous governments had not addressed.

Now the parties opposite seem to think that when they snap their fingers, we should be able to immediately make these problems go away. It doesn't happen that way. There has to be proper planning. But when you people were in power—when they were in power, Mr Speaker, they did not recognize that proper planning must be done. It will take probably a few more years. It will take a few more years. All the governments right across this country have recognized that it will take a few more years.

The federal government has decided, finally, that they're going to put some money back in. However, do we remember, when the Canada Health Act came into being 35 years ago, that it called for the feds to contribute 50% of the cost of health care? Do you know what? They're now only contributing about 11% or 12% or 13%. It'll be 13% as a result of the new funding, which we still haven't seen, by the way, which we won't see until April of next year. By then we'll be contributing more again, so it probably won't hit 13% anyway. But for a reasonable health care program in this province, the federal government should contribute a standard 18%. That's what they should contribute.

Does the Liberal Party ever talk to them and suggest this to them? No. They would rather make political points. They would rather have their leader come in this afternoon and try to make political points. The people in Ontario aren't fooled. They realize that the Liberal Party is only trying to make political points, that they do not exhibit any kind of leadership. They know the Liberal Party doesn't have a plan.

Let's get back to the northern travel grant. The mechanics for applying for the northern health travel grant are the same today as they were when the Liberals were in power. We haven't reduced it any. We haven't made it any more difficult. They're the same. Ontario is one of only five provinces that offer travel assistance of any kind at all. What's the problem? We know it has to be reviewed, and it is being reviewed. But again, you want to make political points.

My time is up. I would like to take advantage of this opportunity to thank the members for listening.

1710

Mr John O'Toole (Durham): It's my pleasure to speak on the Liberal opposition day today and, I suppose, driving it down first to respect the opposition for bringing this up, specifically Ms Martel. I think she has done an outstanding job in raising members' awareness of the issue.

I want to make sure that I represent my constituents in Durham. I'm a little bit out of air because I just ran in here today to speak on this issue, but I was watching the

previous member, the member from Kitchener, speaking on it as well. But I think to drive it down, in my riding, for instance, of Durham, to this point in time most services provided in the treatment of cancer were not provided in Durham. However, chemotherapy, for instance, was offered at the Lakeridge Health Corp Oshawa site, which was in some respects more convenient then. Prior to that, in the generation I can speak of at a personal level, those suffering from cancer basically had to go to Princess Margaret.

I recognize that there are certainly distance disadvantages in living in the north in a number of ways, whether it's getting a quart of milk or whether it's getting services for illness and disease like dialysis or cancer treatment, and it would be presumed that everything is so close and so convenient in southern Ontario because the distance is in compact urban form. I just want to dispel that myth. It's certainly not the case in all cases. When I was first elected in 1995 there were no dialysis services for people living in the Peterborough, Apsley and Bancroft areas. In fact, the catchment area for that area was basically that you had to go all the way to Oshawa two and three times every week. They would be travelling certainly in excess of 200, perhaps close to 300, kilometres.

The member from Peterborough worked very hard to make sure there were dialysis services provided in Oshawa. In fact, that's the whole theme we're working toward and we shouldn't lose sight of the longer objective here: to make services closer to the patient. That's, of course, what's happening in this transitional time as we've expanded higher-order services in northern parts of Ontario. I think it's a good thing, whether it's in Thunder Bay or Sudbury. But there will always be a certain gap in terms of distance between people and services, whether it's in health services or other higher-order services that are important to our community.

I also want to take a moment and appreciate what is actually happening in Durham. The member from Oshawa and the member from Ajax-Pickering and the member from Uxbridge as well—that is Janet Ecker, Jim Flaherty, Jerry Ouellette and myself—have been working very hard with the Ministry of Health and Long-Term Care to make sure we finally realize a long-time goal, to have cancer treatment right here in Durham. That project has been committed to by the minister, and in May 1999 the ministry approved a grant of up to \$34.2 million, which represents 70% of the total share of that project cost. The total cost of course is \$48,913,000, almost \$50 million. That project has been approved by the Ministry of Health and Long-Term Care, and I can assure you that the people, the residents, my constituents, have worked very hard first of all to have that need recognized and, second, to support the funding. The 30% portion has been raised by local constituents in Durham region, if you will, to drive services closer to patients.

Why did they put it in Oshawa? It's the same issue we're debating here today. The whole theory here is to have patient services closer to patients and where they

live. It will be more difficult in northern Ontario; but certainly the issue for people in southern Ontario was for many, many years that they had to travel to the larger centres, whether it was London or Kingston or Toronto, to receive the higher-order services. It may be presumed by someone else that that isn't difficult. I can tell you, it takes me close to two hours a day each way to get to and from my occupation here at Queen's Park. So imagine trying to do that under the threat of illness and life-threatening disease. I understand it's a problem. We're trying to make sure the future is bright for the people of Ontario.

Mr Michael Gravelle (Thunder Bay-Superior North): I'm very pleased to also join the debate in support of the resolution by my colleague from Thunder Bay-Atikokan. I think it's just so very important to understand the level of outrage that is felt by northerners when this issue is discussed in the Legislature. Last week we had one question period almost devoted to it. That level of outrage I think actually rises when we hear responses like we've heard today from the members on the government side. The member for Kitchener Centre was talking about political points being made; the Minister of Northern Development and Mines was suggesting it was a political issue as far as we are concerned. It really is disgusting.

I'd like them to tell that perhaps to the family of the little boy who was diagnosed with acute lymphoblastic leukemia in Thunder Bay last year. Because there was not a pediatric oncologist at the Northwestern Ontario Cancer Centre, he had to come to Toronto, to the Hospital for Sick Children, to be looked after. He had to spend a great deal of his time with his family back and forth. I'd like the government members to talk to that family about the politics of this, the fact that they had to remortgage their home, the fact that they had to use their life savings. The extraordinary emotional trauma of this was amazing. The child was extraordinarily brave. He did pass away, unfortunately. They spent over \$18,000 of their own money. Yes, they got support from the northern health travel grant; yes, they got support from the Canadian Cancer Society.

But the fact is we have southern Ontario patients that the government has deemed, for perhaps good reasons, can't receive the kind of care they need in a quick enough time period. They're going to be sent to other places, including Thunder Bay and Sudbury, and they're going to receive 100% of their travel costs, their accommodation, their food, whereas this little boy and his family could not get that same sensitivity from the government. I think it's really difficult to explain to them, as it is to any of us, how you can possibly justify that behaviour.

When the minister announced back in April 1999 that this re-referral program was going to be put in place—and just the term irritates me. You're referred down to Toronto because you can't get help in Thunder Bay, and you're re-referred from Toronto to Thunder Bay—these are all words that don't mean a lot to a lot of people.

When the minister announced that, she did make it very clear that it was going to be a temporary program. I recall my response at the time, when I was asked by the Thunder Bay media. I said, "If that's the case, they should at least temporarily provide the same level of service and care to northern Ontario patients who are forced to travel as well."

Because no matter how you cut it, this is an issue of pure discrimination, and nobody can argue that. I will tell you, whether you are in Thunder Bay or you are in Marathon or Geraldton or Sudbury or Timmins or Sault Ste Marie, any part of the north, this is an issue that incenses people, and it gets much worse when we have this response from the government. I think they know they're wrong and I think they recognize that they're in trouble on this one.

There's no question that the efforts of Gerry Loughheed Jr have been extraordinary in terms of the effort he has put into this, the 60,000 petitions that he has managed to gather. The fact that we now have a very prominent lawyer suggesting that indeed this could be a class action lawsuit based on the Constitution of Canada has been broached and the fact is that the requirements of the Canada Health Act, which requires accessibility, are not being met.

So there's no question in our mind that this is an issue that (1) we know we're right about and (2) the government actually knows they're wrong about and they can't back off. It is important to understand that the issues related to the northern health travel grant program itself, ones that we've also been fighting—certainly all of us northern members since we returned to the Legislature after the 1999 election have focused very strongly on the need to improve the northern health travel grant. There's no question about it that we have story upon story about why this is unfair. Mr Harris has threatened us by saying that he thinks southerners are actually being discriminated against and he made some reference to the fact that they may actually be broadening the program, ultimately, to help those people who are far away from health care facilities in southern Ontario. We wouldn't object to that, as long as they made the program fair for everybody.

1720

All we know is that indeed the issue in terms of cancer care for northern Ontario patients is simply one that is not being treated properly by this government. It is pure discrimination; there's no argument about it. I'll tell you, wherever I go people don't understand how the government can continually try to justify their behaviour and their response, based upon the fact that they are indeed providing this care to southern Ontario patients—and, God bless them, we're glad they're receiving that care.

One of the reasons why the issue exploded, even in Thunder Bay—and in some ways it was an unfortunate circumstance—was that one of the patients from southern Ontario who chose to come to Thunder Bay and Northwestern Ontario Regional Cancer Centre wrote a very nice letter to the editor, I guess about six or seven months ago, saying how wonderful it was to be in Thunder Bay,

how wonderful it was to be treated so well while she was there receiving treatment; that she had been picked up at the airport, that she was treated very well. It was a lovely letter of thanks for the kindness and generosity of the Ontario government and the people of Thunder Bay for being so generous. Of course what it did was make people even more conscious of the discrimination.

There are many stories I can tell, and I can't reveal their names—and some I could—of children who have cancer who are going back and forth between Thunder Bay and Toronto. We are going to fundraisers for them. There are people with all kinds of other health care issues whom we are going to fundraisers for because people simply cannot afford to get the care they need. That's another issue that worries us in an extremely large way, and that is the fact that because the way the system is set up, patients who require care outside their own communities who cannot afford it have to find the money up front somehow. They're going to families, they're remortgaging houses, they're depleting their life savings. That simply can't be fair. So for that side of the House to talk about political points being made by us is vile and it's vulgar and it's incredibly wrong. Again I ask them to go and say that to the families of the patients who have had to go to Toronto and elsewhere for care.

I have a very large riding, Thunder Bay-Superior North. I think, Speaker, you said it earlier yourself when you were speaking on this issue, that this wouldn't be an issue if we could receive the care in our own communities. That isn't a reality so we've got to work toward that and we must all continue to do that. I have a large riding. Thunder Bay-Superior North spans hundreds of kilometres. I can think of many examples—and I won't use the names, as I haven't received permission to do so; I'm sure they wouldn't mind, but I won't—of patients who have had to go from Marathon to Thunder Bay for cancer treatment at the Northwestern Ontario Regional Cancer Centre. I guess they had been referred, not re-referred. This one particular person I'm thinking of had to be there for a significant period of time and had to stay in hotels because they couldn't stay at Amethyst House. There were all kinds of reasons. Enormous amounts of money were being spent because they simply had to receive the treatment in Thunder Bay. So should you be punished for living in other parts of the province? I don't think so. We talk about universal health care; we talk about accessibility to health care. We have to mean it.

Again, when I hear members like the member for Kitchener Centre talking about us making political points, I find that offensive and I think the constituents I represent find it offensive and most people in Ontario would find it offensive, when what we have seen here is a form of discrimination that is blatant, that is clear and that must be corrected.

There's a reason why we're debating this today. We're debating this today because we are determined to continue this fight. We are not going to give up on it. We are going to continue to fight this fight until we get some real justice, and that justice will be fairness and it will be

equal treatment for the northern patients in terms of the southern patients. That's all we're asking for. It's what we are going to continue to fight for. There is no question that this is something the government must understand. We will continue to appeal to them. We will continue to fight for it.

I am proud to say we will support this resolution and I ask all members of the Legislature to support it because it's the right thing to do.

Mr Howard Hampton (Kenora-Rainy River): I'm pleased to take part in this debate, although it is with some sadness that I mention some of the cancer patients who originally were courageous enough to allow me and other members of the NDP to present their individual case. I'm saddened by the fact that some of those people are no longer with us, but this is an important debate and I want to mention some of those people right off the bat.

Over a year ago, when I first brought forward a case of an individual who was being subjected to the government's discrimination, I gave the situation of Donna Graham. Donna Graham lived in Pickle Lake. Pickle Lake is a small community that is challenged to provide health care to its citizens. In Donna Graham's case, she had to travel 525 kilometres one way to Thunder Bay to access cancer treatment. So every trip she took to Thunder Bay for cancer treatment involved total travel of over 1,000 kilometres.

Because the Ontario government is not as generous to Donna Graham as they would be to a patient who lives in southern Ontario and who is sent to a cancer treatment centre in Buffalo, Detroit, Cleveland, Sudbury or Thunder Bay, she had to drive the 1,000 kilometres to access cancer treatment. This was 1,000 kilometres quite often over highways that were icy, that were risky. Often she had to dodge the odd moose on the way to Thunder Bay and back. When she got to Thunder Bay, if they were not ready for her in terms of her radiation treatment, then she'd have to get a hotel room at her own expense. She'd also have to go out and purchase her own meals, and any other accommodation or travel expenses she had to cover herself as well. It would not be unusual for her to have to pay out of her own pocket \$400 or \$500 per trip in order to get to Thunder Bay and back. I repeat, she always had to drive because the Ontario government simply wouldn't cover the airfare.

Donna Graham endured incredible hardship. She made several trips to Thunder Bay and back by car. Besides the hardship of having to battle cancer and the hardships of those very long drives—five hours, sometimes seven hours—and then having to pay out of her own pocket the money to cover those travel expenses, I'm sad to say that six weeks ago Donna Graham—a very courageous person who endured a lot—passed away.

Why should people in Ontario know about Donna Graham? Because the issue here is access to health care. In this particular case, it's access to cancer treatment. Donna Graham, in order to access cancer treatment, had to endure several hardships: the hardship of simply battling cancer; the hardship of travel; the hardship of all

the money, the expenses, she had to pay; the hardship of sometimes travelling down to Thunder Bay and then immediately travelling back up because she couldn't afford a hotel room. This is the hardship she had to overcome in order to access cancer treatment.

At the same time Donna Graham would be at the Thunder Bay cancer treatment centre, she would bump into cancer patients from southern Ontario who were equally dealing with a very difficult situation, who were equally having to fight cancer. But she would run into those folks who would say, "My airfare from Toronto was paid. My taxi was paid. All of my hotel accommodation is paid. All of my meals and my food expenses are paid." Donna Graham couldn't help wonder, "Why is this? There's no difference between us. She has cancer; I have cancer. I have to travel a long distance to access cancer treatment; she has to travel a long distance to access cancer treatment. Why is the government of Ontario covering all of her expenses and the government of Ontario basically says to me, 'You get to Thunder Bay any way you can and if you can't afford to make it, too bad, so sad'?" That is the reality that cancer patients face, and the government comes out here and says they've dreamed up this classification system.

1730

Let me tell you what the classification system is. The classification system is nothing other than an attempt by the government to cover up what they're doing. The classification system is nothing other than an attempt to classify two cancer patients as somehow one being deserving and the other one not being deserving. That's all it is. It is a disgusting example of how this government so often deals with the challenges and the difficulties that Ontario citizens face. The government says, "If you fall into these categories, if you have this kind of cancer and you have this kind of cancer in this part of Ontario, we're going to pay your travel expenses. But if you have that kind of cancer but you don't live in this part of Ontario, we don't pay your travel expenses, or if you have another kind of cancer, we don't pay your travel expenses."

Let me give you another example of how absurd this is. This is a woman who lives in Kenora. She has a type of eye cancer. Yes, she was referred to Thunder Bay. Thunder Bay said, "We cannot help you. We simply do not have access to the specialists here and some of the special procedures to help you. You will have to go for cancer treatment to Toronto."

Let me tell you what this patient does. In order to be able to afford to access the cancer treatment, she drives from Kenora to Winnipeg, over 200 kilometres. She drives to Winnipeg because then she can at least get a reduced-fare ticket to fly to Toronto. So she drives over 200 kilometres to Winnipeg and gets a reduced-fare ticket; otherwise she wouldn't be able to get to Toronto at all. She flies down to Toronto on that reduced-fare ticket. She has to find her own hotel room, taxi fare, food expenses and so on. The government refuses to cover any of it because she has a certain kind of cancer. She re-

ceives her treatments in Toronto, then has to fly back to Winnipeg and drive back to Kenora. The cost for her out of her own pocket in accessing cancer treatment, even with the advance-booked, reduced-fare flights, is at least \$600 every time she has to come to Toronto.

One would think, if you listened to some of the government members, that she ought to qualify for some sort of enhanced coverage of her travel expenses. After all, they couldn't help her in Thunder Bay; she had to be re-referred to Toronto. But oh, no, she doesn't have the right kind of cancer according to this government. It doesn't matter that she's a cancer patient. It doesn't matter what she's suffering. The pain doesn't matter, the hardship, that she might lose her eyesight. According to this government, she has the wrong kind of cancer, and therefore they're not going to help with her travel expenses.

She should have gone back and said, "Lord help me. If I'm going to have cancer, can you make sure I've got a kind of cancer that this government in Ontario recognizes?" That is how absurd this situation is, how stupid it is. This woman has to travel further, under greater difficulty, than any cancer patient in southern Ontario, and you won't help her. Why? Because she lives in the wrong place in Ontario and because, according to this government, she has the wrong kind of cancer. How ridiculous, how absurd, that any government could operate in this way, that any government would even think to operate in this way.

The list goes on. Gladys Whelan, a woman who lives in my own community, who lives just down the road from my parents, a senior citizen who's living on a pension cheque—that's what she has to keep a roof over her head and put food on the table: a pension cheque. Gladys Whelan has been fighting cancer for close to eight years, with repeated trips to Thunder Bay, financed always by what little money she's got left over from her pension cheque. Gladys Whelan has had to miss meetings with her cancer specialist because she doesn't have the money. She doesn't have the money to pay the travel costs, the hotel room and the food, so she says, "I can't come. I can't make this meeting with my cancer specialist."

What does this government say? This government says, "Gladys, you have the wrong kind of cancer and you live in the wrong part of Ontario. You should have been smarter, Gladys. You should have gotten a different kind of cancer, and you should have lived in a different part of Ontario. Then we'd help you with your travel expenses."

I don't think anywhere else in Canada any government has ever tried to get away with such an outlandish, such an insulting, such a degrading attempt to avoid equal responsibility to the citizens of their province.

People need to know how we got here, what it is that the government is desperately trying to cover up. I want to tell people what the government's desperately trying to cover up.

When this government came to power, their constant line was, "Oh, there's waste, there's inefficiency," so they cut the cancer treatment centres that were on the drawing board for Mississauga and Durham. They cut the program for the education of radiation technologists at the community college level. You know the other stuff: they said that nurses were comparable to hula-hoop workers; they were out of date. They slashed beds in hospitals and set about slashing hospitals. Now we're discovering that was all wrong. We're discovering that was all the wrong direction by this government.

What happened on the cancer treatment front is that the experts tried to say to this government, "If you cancel the cancer treatment centre in Mississauga and the one in Durham, you're going to create huge waiting lists. If you do away with the community college program for the education of radiation therapists, you're going to create an even worse situation." Just before the election, that was becoming obvious to everybody: this government, through its wrong-headed decisions, in order to finance their tax cuts for the well-off, had placed the health of thousands of people at risk, in particular with respect to cancer.

They wanted to cover that up. So what did they do just before the election? They said to those very cancer patients, especially in the greater Toronto area, who were facing long waits for cancer treatment, "Oh, we'll pay your expenses to get to Cleveland or Buffalo or Detroit or Thunder Bay or Sudbury. We'll pay your expenses."

This has nothing to do with access to medical treatment for all the people of Ontario or equal access to cancer treatment; this has everything to do with a government that is trying to hide and cover up one of the big, fundamental mistakes it made in health care funding. It was wrong to close, to shut down, to stop the building of those cancer treatment centres in Mississauga and in Durham.

That is why we're into this awful, ugly, terrible scenario of discriminatory funding for access to cancer treatment. This government wants to cover over the wrong decision it made in Durham and in Mississauga. But in doing that, they're creating an even more odious situation, a situation that says, "If you don't live in the right part of Ontario and if you don't have the right kind of cancer, according to this government's definitions, then this government won't help you access cancer treatment."

One of the things this government needs to learn, especially one of the things the Minister of Health needs to learn, is to say, "I made a wrong decision. I made a mistake." She can say that the information she got was incorrect. But right here, right now, this government needs to say that they've made a mistake, and they need to fix this awful situation—

The Deputy Speaker (Mr Michael A. Brown): Thank you. Further debate?

1740

Mr Dalton McGuinty (Leader of the Opposition): I was going to say that I am pleased to speak in favour of

this motion, but really it is not a pleasure. It is more a sense of compulsion because clearly it is, in all the circumstances, the right thing to do to support this motion. I'm very pleased that Mrs McLeod has put it forward on behalf of our party.

In a sense, this debate is very surreal. It's the kind of debate we should not be having, certainly not today, not in Ontario, Canada, and not at this time. What this debate is really about is whether we should bring an end to discrimination. How could we even be considering entering into such a debate? Why is it that we have to have such a debate in Ontario at the beginning of the 21st century?

The subject of this debate is a Mike Harris government policy. There's a law on the books in Ontario that says if your family is stricken with cancer and you are living in northern Ontario, you will not be entitled to the same kind of financial assistance that you would be had your family been resident in southern Ontario. I know many of us have had the opportunity to raise this matter with people in our ridings. I certainly have raised it with people across Ontario, and I haven't come across anybody yet who says, "I'm in favour of this," let alone somebody who says, "I am proud of this kind of policy."

People living in the north are understandably angry, and people in the south with whom I have raised this issue tell me they are embarrassed by the fact that we've got a law on the books in Ontario today that says, "If your family is stricken with cancer and you live in the north, then you are going to be the subject of discrimination. You will not receive the same kind of helping hand you would have received had you resided in the south." We've got a policy on the books that is unfair, unjust and indefensible. I would also argue it is illegal. But let's set all that aside for a moment.

It seems to me that from time to time in government you've got to do things simply because they're the right thing to do. This policy is wrong; it's bad law. The right thing to do, in a purely moral context, is make sure we don't discriminate in the kinds of assistance we provide to families in Ontario, that we don't discriminate according to where they happen to reside and that we strive at all times to make sure all families and all Ontarians have access to quality care, regardless of where they live.

I'm sure all members in this Legislature understand that a family that is stricken with cancer experiences tremendous pain, suffering and anguish, and that this disease exacts a terrible price. Families pay a tremendous toll as a result of being stricken with cancer among one of the family members. But we've got a policy in place today in Ontario that says, "If you live in the north, in addition to that social burden, in addition to that social cost you are paying, and that pain and suffering and anguish, you are now going to be facing a financial burden."

I can't believe that members opposite, members of the government, if they were for a moment to look into their heart of hearts and if they had the opportunity to stare into the eyes of families living in northern Ontario who

have been stricken with cancer and who have felt the full force of this discriminatory policy, could possibly believe this is good policy. These are the people who told us time and time again they were not going to be the government. They were going to come here and fix the government. Presumably they were going to fix it and make things right for people. Here is an opportunity for the members of this government to fix something for people. They can grab on to this and can change it. From what I understand, we may be looking at \$6 million in cost. But let's set aside this economic argument for a minute. From time to time, we in this Legislature are called upon to do things simply because they are the right thing to do. This policy is wrong. It is bad law and we all have it within our means to right it.

I have close family friends, and as we speak, somebody in that family is at death's door with cancer. Their children are friends with my children. This cancer has ravaged the entire family and it consumes everybody. To think that in addition to that, there are some families in this province who are going to face huge financial burdens—surely members opposite understand that is patently unfair. It is unjust. It is inequitable. I'm asking the government members, look inside your heart of hearts, think of those families and ask yourselves whether you can possibly support this policy. Instead, I ask all of you to support this resolution.

The Deputy Speaker: The time allotted for debate is complete.

Mrs McLeod has moved opposition day number 3. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. It will be a 10-minute bell.

The division bells rang from 1746 to 1756.

The Deputy Speaker: Mrs McLeod has moved opposition day number 3. All those in favour will rise one at a time.

Ayes

Agostino, Dominic	Dombrowsky, Leona	McGuinty, Dalton
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Gravelle, Michael	McMeekin, Ted
Bountrogianni, Marie	Hampton, Howard	Parsons, Ernie
Boyer, Claudette	Hoy, Pat	Peters, Steve
Bradley, James J.	Kennedy, Gerard	Phillips, Gerry
Bryant, Michael	Kormos, Peter	Ruprecht, Tony
Caplan, David	Lankin, Frances	Sergio, Mario
Christopherson, David	Levac, David	Smitherman, George
Conway, Sean G.	Marchese, Rosario	
Crozier, Bruce	Martel, Shelley	

The Deputy Speaker: All those opposed will please rise one at a time.

Nays

Amott, Ted	Hudak, Tim	Palladini, Al
Baird, John R.	Jackson, Cameron	Runciman, Robert W.
Chudleigh, Ted	Johns, Helen	Sampson, Rob
Clark, Brad	Johnson, Bert	Spina, Joseph
Clement, Tony	Kells, Morley	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Stockwell, Chris
DeFaria, Carl	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Moiinari, Tina R.	Turnbull, David
Elliott, Brenda	Munro, Julia	Wettlaufer, Wayne
Gilchrist, Steve	Murdoch, Bill	Wilson, Jim
Gill, Raminder	Mushinski, Marilyn	Witmer, Elizabeth
Guzzo, Garry J.	Newman, Dan	Wood, Bob
Hastings, John	O'Toole, John	Young, David
Hodgson, Chris	Ouellette, Jerry J.	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 31; the nays are 47.

The Deputy Speaker: I declare the motion lost.

It being past 6 of the clock, this House stands adjourned until 6:45 of the clock this evening.

The House recessed from 1759 to 1845.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East / -Est	Agostino, Dominic (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Lankin, Frances (ND)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Huron-Bruce	Johns, Hon / L'hon Helen (PC) Minis- ter of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques de la Culture et des Loisirs, ministre délégue aux Affaires des personnes âgées et à la Condition féminine
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		
Brant	Levac, Dave (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouve- au Parti démocratique
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Tourism / ministre du Tourisme	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Cambridge	Martiniuk, Gerry (PC)	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Car- e / ministre de la Santé et des Soins de longue durée
Chatham-Kent Essex	Hoy, Pat (L)		
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Don Valley East / -Est	Caplan, David (L)	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (P) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports		
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Durham	O'Toole, John R. (PC)		
Eglinton-Lawrence	Colle, Mike (L)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (P) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	Peters, Steve (L)		
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	London West / -Ouest	Wood, Bob (PC)
Essex	Crozier, Bruce (L)	London-Fanshawe	Mazzilli, Frank (PC)
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Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Guelph-Wellington	Elliott, Brenda (PC)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles	Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa-Orléans	Coburn, Brian (PC)	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
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Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 97B

N° 97B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 30 October 2000

Lundi 30 octobre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers



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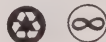
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES STATUTE LAW AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT DES LOIS EN CE QUI A TRAIT AU MINISTÈRE DE LA FORMATION ET DES COLLÈGES ET UNIVERSITÉS

Resuming the debate adjourned on October 26, 2000, on the motion for second reading of Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act, 2000, repeal the Degree Granting Act and change the title of and make amendments to the Ministry of Colleges and Universities Act / Projet de loi 132, Loi édictant la Loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire, abrogeant la Loi sur l'attribution de grades universitaires et modifiant le titre et le texte de la Loi sur le ministère des Collèges et Universités.

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for Trinity-Spadina.

Mr Rosario Marchese (Trinity-Spadina): I don't believe there's a quorum. I really would like a full house before I start.

The Acting Speaker: Would you like me to check and find out?

Mr Marchese: Would you check, please.

The Acting Speaker: Would you see if there's a quorum present, please.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member for Trinity-Spadina.

Mr Wayne Wettlaufer (Kitchener Centre): On a point of order, Mr Speaker: I wonder if it would be in order to point out that at the time the quorum call was made there was only one NDP and one Liberal in the House.

The Acting Speaker: That is not a point of order.

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: What the member said was factually incorrect. There were several Liberal members.

The Acting Speaker: That is not a point of order.

Mr Marchese: Why would my Liberal colleague feel the need to defend anything? They're in charge. They've got the wheels. They're the government. They're supposed to have the members here to listen to us. So defensive.

I'm glad I called quorum because we've now two, four, five, six, seven, eight, nine, 10, 11. At least I can begin my speech now, but with five members it was very difficult, because without an audience it's so hard to speak in this place.

Hon Rob Sampson (Minister of Correctional Services): You got past 10 and you didn't take your shoes off.

Mr Marchese: Nobody can hear you.

I want to welcome the folks who are watching. This is Political Forum and we're on live. This is not pre-taped. We're on live and we are discussing Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act. That's the act that says, "We're going to let the private universities in. We're opening the door wide to private universities."

Mr Wettlaufer: What about applied degrees?

Mr Marchese: This is important, though. I would need another hour to talk about the other component of this bill. You're trying to subsume it under this other thing so we can talk about community colleges as opposed to what you snuck into this bill, which is private universities.

I say welcome to Political Forum because it is a forum where we have an opportunity to speak to you directly because we don't get much coverage in the newspapers. New Democrats don't get much coverage in the Toronto Sun. We don't get much coverage in the Toronto Star; we get some coverage, God bless them. We don't get coverage in the Globe and Mail. We don't get coverage in the National Post. These are all Conservative papers. The Toronto Sun, which appeals to the working man at the grade 4 or 5 level—I'll see you later. Thanks for coming.

Mr Wettlaufer: I'll be right back.

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Mr Marchese: No, no, do. The Globe and Mail is less populist and deals with those who have a higher reading level but is essentially Conservative. The National Post tries to sneak in to sell to the same crowd, the crowd that

isn't happy with the fact that the Conservative Party is simply not right-wing enough. What do New Democrats have? Nothing except themselves, except their passion for what they believe in. That's why we speak to you directly, because the only thing we've got is this parliamentary channel, through which we're able to communicate directly with you. You see, we're waging a war of ideas, and the right, meaning the Conservative/Alliance types—

Hon Mr Sampson: The dark forces.

Mr Marchese: The forces of evil—who have the benefit of friends who have deep pockets to help them sell the ideas, together, in collusion, are selling an ideology across the country, an ethos of what they represent and what they want to disseminate. And God bless them, they've got all these national papers to sell their ideas. They talk about tax cuts and they talk about privatizing—whatever they want—and they've got a willing host: newspapers that are willing to print it day in and day out, to the extent that after people read the stuff they say: "It must be so. If these papers write it, certainly they are not biased in any way. They're neutral newspapers communicating information to the rest of us. If they call for tax cuts, it must be so. It must be good." Who is to dispute it? Not many.

There is no one to dispute the fact that tax cuts are hurting us. They are hurting us. Instead of cutting the debt, this government has blown away one billion bucks to make you feel good by giving you back 200 bucks, and you can vote for them again. Blown away; wasted, I argue. One billion dollars to make you feel good by receiving \$200 in your pocket, and you seniors with a fixed income get nothing, because that's the way it is. The poorer you are, the more you have to suffer under a Conservative government and, dare I say, a Liberal government federally.

Mr Brad Clark (Stoney Creek): Which bill are we debating?

Mr Marchese: We're debating how we are losing the war at the level of ideas. That's why you are selling these ideas even at the level of privatizing universities. You've got newspapers quite willing to sell that for you too.

What have we got? All we have is the parliamentary channel to tell you that the ethos of this government and the ethos nationally of the Alliance is to give more tax cuts. What the Liberals have given is simply not enough; they want to give you more. So they take money from one pocket—as an example, employment insurance, where you collect six or seven billion bucks—and give it back to you in the form of a tax cut, except the little guy who supports the Reform party who earns 30,000 or 50,000 bucks gets very little back, although you've got to pay a lot to employment insurance and you get a marginal amount of money back in terms of its use. But they give it back to you in the form of an income tax cut. Do you taxpayers of Ontario think you're getting your bigger share of the pie? You're not. They're taking from you by collecting it, and they're giving it back in the

form of a tax cut that goes to those who are the most wealthy.

Tories unabashedly say, "This is OK, because it benefits all." Why couldn't the Tories, why couldn't you taxpayers argue that it's better to reduce the debt than to get money back from an income tax cut? Why don't you argue for that? And why wouldn't you say nationally to the Liberal party, "We don't want the billions and billions of dollars in tax cuts, including corporate taxes. We want you to do two things: (1) reduce the debt and (2) reduce the GST, the Goods and Services Tax." If I'm a poor, humble individual working in a factory making 30,000 or 40,000 bucks and you reduce the GST by 1% or 2%, I benefit because you're taxing everything that lives and moves. If I as a poor working man have to pay GST on everything, the best way to help me, the low-income individual, is to cut the GST. If you reduce or eliminate the debt, you're helping me the working man much better than by giving tax cuts that go to the wealthiest.

It's what you've got to argue for. Those of you who are watching have to become a little more critical, dare I say. You've got to become a bit more like Socrates, if you recall that great Greek philosopher. Socrates went out and challenged traditional views which were held to be true by many, and proved by humble discussion, by questioning, by simply asking everyone he met in the streets of Athens—he asked them questions to the extent that he challenged them and forced them to doubt traditional views, forced them to challenge conventional wisdom such as tax cuts, such as privatizing post-secondary education, such as allowing private universities from the US to come into our country and our province. We need many more Socrateses of today to go around and become a little more critical instead of absorbing the pap—the pap, I say—from all the media, from the Globe, from the National Post, from the Toronto Sun and so many others, so many who own those media and sell themselves. By "sell themselves" I mean selling for the sole purpose of profit, of making money, pecunia in this wonderful capitalism of ours where if you've got more, you make more. That's the beauty of it.

We poor taxpayers at the bottom levels are suckered into their agenda. It's a war of ideas, and we're losing and we've got to fight back. If we don't fight back, we will have given everything away to these people. The dissimulation of this government, and I dare say the federal government, has to stop. It can only stop when the public becomes much more politicized and engaged.

I'm amused to see, at the level federal, M. Chrétien say he wants to keep Day at bay because they are dangerous and because those tax cuts would only go to the very wealthy. But, dear Lord, what has Chrétien done except already give money away to the very wealthy, and accuse Day of doing not just the same but literally doing so much more that he would waste the country, he would tear the country apart? But Chrétien has already done that to you, under the guise that he still has a heart. He's had seven years to prove he's got a heart, but that heart is

not there. But only you can judge that. Only with much more capacious, critical and intellectual engagement will we be able to make politicians accountable.

These people want to introduce private universities. I asked them, in the last speech I made on Thursday: "Who wants them? Who wants private universities?" I asked them last week who wants it. I asked them today, who wants private universities? Other than the Conservative party, this government, Mr Harris, the minister and this big membership of his in this place—other than them—there's nobody else. So I say: "Why would you introduce private universities? Nobody is demanding them. Whose benefit are you supporting? Whose pockets are you trying to fill? What choices are you giving to students?"

I argued last week that tuition fees for these private universities will be close to \$40,000 a year. How can it allow for choice when tuition fees will be close to \$40,000? When we look at our public institutions now and see students paying anywhere from \$16,000 to \$25,000 in tuition fees alone, and most of the students out there are saying, "We can't afford that," how could students afford a \$40,000 annual tuition fee in the private sector? How?

So what choice is this, except to give a choice to wealthy investment managers, bankers, insurance corporate types, the corporate welfare bums who certainly work for their money, but I don't think they deserve the kinds of tax breaks this government gives them, and the federal government, for that matter.

I say, put more money into our public institutions. I say, reinforce our institutions by supporting them the way they ought to be supported. Let me give you some facts. Here is a figure that most of you might be interested in when we're talking about endowments and private donations: in 1992, private donations constituted \$286 million. In 1997-98, they constituted a contribution by the private sector through the endowments, through the donations, of \$502 million.

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It's indicative of a government that's getting out of the funding of post-secondary education, because more and more of the private sector is to come in and make donations, which of course we pay indirectly as taxpayers. But no matter; the point is donations have increased tremendously. Tuition fees: in 1992 tuition fees constituted \$834 million, which equalled, more or less, 25% of total revenues. That was in 1992, during the reign of the New Democrats. By 1997, the figure ballooned from \$834 million to \$1.255 billion, which represents 35% of total revenue—again, to indicate that students are picking up the cost. Governments are getting out of funding post-secondary education and students end up having to pay more for their own university. Government support declined from \$2.269 billion to \$1.785 billion from our reign to the present reign of the Conservative government, and it's a drop from 67% of public funding to 50% of public funding.

All this is happening—to your taxpayer who is watching—in a good economy. It's happening when we

have the money, when this government and the federal government have so much surplus money that they don't know what to do with it, that they're throwing it away through corporate tax cuts and personal tax cuts, that we on this side, as New Democrats, have argued go to the wealthiest Ontarians and the wealthiest Canadians.

Watch this Conservative Party, when it has its \$700 fundraising events, and when Day has a \$25,000-a-table event—Day, who's supposed to be presumably a Christian, a follower of Jesus Christ, which presumably means that he worries about the poor little guy who doesn't have enough. What I know of Jesus Christ is that he was there to protect the little guy. So you've got Mr Day, who has a fundraising event and raises \$2 million with the wealthiest corporate individuals in this society—

Mr Wettlaufer: What does that have to do with this bill?

Mr Marchese: It has a lot to do with it. It means that he's in the pockets of the wealthy, like you guys are. You are in the pockets of the wealthy and you have a Christian at the national level taking money from the wealthiest corporate individuals, like you do when you have your \$700 fundraisers, and claim that you are helping the little guy. It is a paradox in my mind that a Christian, or many Christians, at this level and at the federal level, could, if they are religious, as they claim to be, go to bed at night saying, "Yes, we like giving away our money to the wealthy," and believe that somehow it's going to trickle down to the little guy. Taking my money to give it away to somebody who doesn't need it—I find that insidious, obscene, nefarious. Only this government is capable of doing it.

That's why we make our appeal to you, because unless we speak to you directly, unless you mobilize your critical conscience in a way that is able to shape society differently than where we are going, I've got to tell you, in the next economic recession you'll see suffering unlike you've ever seen before. This government is not planning for it and the federal government is not planning for it. When you give all of our potential wealth and our surplus money away, both to the corporate sector and to wealthy individuals, what you are doing is wasting our coffers to the extent that we will have nothing left to help you when the economy goes down—and it will, I can guarantee it.

If there is anything I can claim omnipotence to, it's that I can claim there will be a recession, as there always has been, every seven to 10 years. There will be, and when that time comes, I am wondering what you people will do to protect the little guy, because you've given all of our money to the corporate sector—\$5 billion of corporate cuts and \$6 billion to \$7 billion to the highest-income earners of Ontario. Nobody will be left there to protect you. There is no ethos in terms of values. Mr Day talks about values. I presume that these people talk about values, but what values do they have when all of their campaign is focused around the idea of, "We want to give you more tax cuts, because it's your money?"

That's the ethos. That's what binds their politics together, the Conservatives at this level, Mr Day at that

level. Their sole reason for being is to give you more tax cuts. But there won't be any money left for, dare I say, your pensions. Good senior citizens who are watching this, there won't be any money left for your pensions when these people have been through this, when Day and others get through this; there is no money left in the coffers for you.

How do we deal with an increase in population in our post-secondary education system? How do we deal with the fact that we're going to have 190,000 more students by the end of the decade? We are indeed experiencing participation rates that are high. Why? Because they know that in order to be able to have a decent job in this society, they need a degree. It's not because, as this government says, they are so great that people are participating unlike ever before. People are participating in terms of going to university because they know that without an education, they are left with nothing. So they endure the heavy debt of \$20,000 to \$25,000 a year, in some cases more. They endure it because they have to.

How are they dealing with the fact that we will be short of professors by 10,000 to 15,000 in the next four, five, six, seven years, and we've lost 2,000 professors already. This government makes no effort to say, "We need professors in the classroom to be able to reduce the ratio of teacher and students," which in some cases is incredibly high. What measures is this government taking to say, "We're going to put the professors in place"? None.

There is insufficient capacity to meet the demand. Because of the unprecedented reductions of this government, they are ill-equipped to accommodate the pressures of the enrolment that I spoke about, including the double cohort of this year's grade 9 students who, when they combine with the present grade 9 students, when they come together with that double cohort, will be so jammed into universities that without this government making sure they expand the capacity to take those students in, those students will be lost in those classrooms or won't have a place to go.

What are you doing? What? This is why you're introducing private universities, so you can put in maybe a couple of hundred, maybe 1,000 students? Or how many more? How many more do you want in a private university? How many of the wealthy kids do you want in private universities, and will having 1,000 in that private university alleviate the fact that we will have 190,000 more students in the next decade? Will that do it? Of course it doesn't do it. That's a cover-up for the fact that these people are so deep in the pockets of the lobbyists—the private sector that wants to make money out of university—they don't know how to extricate their hands from them.

Mr John Hastings (Etobicoke North): Why are you against choice?

Mr Marchese: John Hastings from Etobicoke North says, "Why are you against choice?" I already made the argument. How many times can I repeat that it's not a choice for Gilles Bisson's children to go; if the tuition

fees are \$40,000 a year, it's not a choice for this man. It's not a choice for the regular taxpayer, because they can't afford \$40,000 of their money or the young man's money or the young woman's money, to pay for tuition fees. If they're private, then they're not supposed to get any funding from the public sector; that means their tuition fees will more than double ours, from \$20,000 to \$40,000.

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I tell you these people, these lobbyists and these private universities, want to come into this province. They're looking to use our public institutions, like our libraries. We pay for them but they will be using them. You know that. They're looking for the tax incentives they have gotten in the US, and they will get them here. They're looking for government assistance through OSAP, the loan program—our money. They're looking for that and they'll get it. Rich people will probably get it.

It won't be public. That's why they've set up the Quality Assessment Board. They know that Phoenix, the private university, has been so scandal-ridden by problems they have to set up some institution, a new bureaucracy, to attempt to deal with the problems private universities bring. I appeal to you: if you are interested in what we are doing, if you're interested in fighting this government, you've got to participate, and call us, because you need to be able to get the Canadian Centre for Policy Alternatives, which will talk about the general agreement on trades and service. We are about to include education in that regard and we're going to sell and we're going to lose it there as well.

The Acting Speaker: Comments and questions?

Mr Wettlaufer: It's always interesting to listen to the member for Trinity-Spadina even if he doesn't know what he's talking about. He's talking about one private university that has a tarnished reputation; however, he makes a blanket statement that they're all guilty. So I guess Yale is guilty, Duke is guilty and Harvard is guilty. Three of the most world-renowned universities are private. Stanford is another one, world-renowned and private. You're going to bulk the world's best with one.

Let's just take a look at this. I did not have any lobbyists come into my office and ask for private universities, but I did have a lot of students who are going to universities in the United States right now. We have 7,000 university students in Ontario going to school in the States and they want to come here. They want to have the choice of a world-class private university right here in this province so that they don't have to spend \$60,000 or \$70,000 or \$80,000 in the United States. That's what they want. They want that here.

Not only that, but this bill allows applied degrees. You want to ignore applied degrees, that necessary thing that industries tell us they need to meet the shortage of personnel in the global economy.

Interjection.

Mr Wettlaufer: That has nothing to do with money, I say to the member from Brantford. The students who

take applied degrees will get better jobs and they'll make more money and they'll be able to pay for their debts very easily, thank you very much.

Interjections.

Mr Wettlaufer: I'm having trouble here, Mr Speaker.

The Acting Speaker: The Chair recognizes the member for Timmins-James Bay.

Mr Gilles Bisson (Timmins-James Bay): A revelation here tonight: we listen to the Tories in the House and they talk about what this agenda is all about. I just heard the member across the way talk about the importance of building world-class universities in Ontario so people can get a good education. Are they looking down on the University of Toronto. Are they looking down on Queen's? Are they looking down on a number of fine institutions in this province that are public institutions, that are affordable and accessible to young people across this province? I don't know about you, but I don't know a lot of people in Timmins-James Bay or Trinity-Spadina or Ottawa East who can afford go to Harvard or MIT, because the tuitions are around \$30,000 to \$50,000, depending on the program you're going into.

What these people are talking about doing is bringing us back to the bad old days where we had a class system. If mommy and daddy, and normally daddy, had a few bucks, you got a good education. But if your father happened to be somebody of average means when it came to the income of the day, you didn't get a good public education because there wasn't anything available. That's what they're about. Tories are about yesterday, about bringing us back to the 1900s, bringing us back to the 1800s if they could, bringing us back to Louis XV if they could. That's what the Tories would do, because that's capitalism at its best.

Public institutions are about giving people the opportunity to get post-secondary education in a way that's affordable to them, something that private universities will never be able to do, and I say to all of you on the other side of the House, you should be ashamed of yourselves.

Hon Chris Stockwell (Minister of Labour): It's curious. It's very curious that we would have my friends in the NDP caucus commenting on the terrible situation with private sector universities and how it produces nothing but wilful neglect from the public. You're talking about mommy and daddy having a lot of money and they're the only ones who can send people to private universities.

Let me say this: I'm not afraid of private operators in the province of Ontario. I think there are a lot of very good schools that are privately run in the United States of America and in other parts of this world that operate very, very well. Let me tell you, I think some people in this assembly are in favour.

I ask the member from Timmins and my good friend from Fort York, I guess; I don't know his new riding name—

Interjection: Trinity-Spadina.

Hon Mr Stockwell: Trinity Spadina. Your own leader went to private school. Your own leader was on a hockey scholarship to a private university in the United States of America. Let me just report what you said: Did Howie have a rich mommy and daddy that put him through a private sector, dollar-run facility? I don't believe he did, because if he did, and the perception is the rich capitalists come out and produce for the private sector, what went wrong? He came back and became the leader of the socialist party in Ontario. Now, I ask my friends opposite, what is it? It's only good enough for Howie, but not good enough for anybody else. This is a strange dichotomy I hear. Thou protest too much. Your former leader, Mr Rae, spent more time in universities outside the country than he did inside the country. Maybe you guys should check the history books before you start condemning—

The Acting Speaker: The member's time has expired. Comments and questions?

Mr Mario Sergio (York West): In the couple of minutes that I have, let me say that this is the year 2000. It's another century and we have a lot of problems out there. I think we have—

Interjection.

Mr Sergio: Oh, yes, absolutely. I have to allow the Minister of Labour, when he says how the leader of the third party went to a private school. Well, let me tell you the fear that is out there in today's economic situation. We fear that private universities are going to take away from those needy people who can't afford to go to private schools. What this government is doing is creating one for the rich who can afford anything, and one for the rest who can't afford anything other than what the government leaves them. I don't think that's fair.

This afternoon we dealt with another bill brought by one of our members here. What did the government do? They didn't support it. That shows you the very interest of this government, that they are interested only in looking after one particular group, but not the needy people, not those who can't help themselves, can't speak for or defend themselves. I think that is the difference between them and us, between the government and us, that we really care about those who cannot look after themselves.

I believe that we have to defend those have-nots from the haves, because if we can't give a reasonable, affordable education to those who can afford the least, we will not have the province that we all aspire to have for our children, for ourselves, and I hope that they see the light and change their mind and do not tinker with the public funds.

The Acting Speaker: The member's time has expired. The member for Trinity-Spadina has two minutes to respond.

Mr Marchese: The World Trade Organization is at this very moment working to radically restructure the role of governments worldwide, this organization that nobody knows about—not the Tories, I think, although they might understand it, some of them. No one has a

clue who these people are subjecting an ever greater degree of governmental decision-making to the World Trade Organization's oversight and interference. These negotiations are aimed at expanding the general agreement on trade and services, or what they call GATT, a framework agreement that was adopted as part of the Uruguay round in 1994. Essentially unknown to the public, this agreement is designed to help transnational corporations constrain and override democratic governance.

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It includes discussions such as post-secondary education, health, the environment, culture. They're all on the table, and we're about to give it all away. Canada's giving it all away. Sergio Marchi, a civil servant, now is giving it all away. These people are helping out with the private universities. If post-secondary education gets written into the trade deal, privatization of universities becomes irreversible with a national treatment clause to the extent that it means that nations are allowed to discriminate against foreign firms only in areas dominated by the government. But once you let the private sector in, you've lost control. They're in and you've got to treat them the same way that you treat your own universities. We have a world-class university system that's public. I'm saying to you, dear taxpayer, don't sell it all away.

Hon Mr Stockwell: What about Howie and Bob Rae?

Mr Marchese: Don't give in to that black humour of M. Stockwell, the minister, who blah, blah, blahs about this and that. We have a world-class system and they are about to sell it. They're about to commodify our educational system. The only people who will gain access to this are the very wealthy. We're about to sell our public system away. Please don't allow it.

The Acting Speaker: Further debate?

Mr Garfield Dunlop (Simcoe North): It is a pleasure to be here this evening to take part in the second reading debate on Bill 132, the university choice and excellence act. I'd like to compliment the Minister of Training, Colleges and Universities for her foresight in bringing forth this very important legislation. As we enter the 21st century, we must prepare our youth for the world economy and society. Competition and choice are part of that preparation.

I'd like to thank the members, particularly the member for Trinity-Spadina, for offering their insights on this bill designed to give students more choice in post-secondary educational institutions. I'd like to thank the member for Trinity-Spadina for his comments. I'd like to thank the minister and the parliamentary assistant for bringing this bill to the House and for meeting with the numerous stakeholders whose expertise was important in drafting this legislation.

Education is one of the cornerstones from which our society grows and is strengthened. In the past, someone could get a good-paying job with a high school education. That is often not the case any more. Today we need the training. It has often been said that an education

is the key to the future, and I'm sure even the members opposite will agree with that.

In these times, with rapidly developing technology in every single industry, a quality education equals a good job and a very bright future, particularly when you have a vibrant economy such as the one we enjoy in Ontario today under this government. I was amazed last week when I heard the member for Sault Ste Marie comment about how students were better off under the NDP government. I thought it was amazing, when I looked back and saw that the province was spending \$1 million more an hour than it was taking in and there were no jobs for the students, for him to make a statement like that.

Our government believes that improving access to a quality education is an important way in creating opportunity. That is what this bill is about: improving access to a quality education and a bright future, a bright future of job creation and a very strong economy.

The Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000 is an important milestone for our college students. It represents the culmination of years of dedicated commitment to a vision set out in the 1960s. At that time, the government of the day—you will remember the Premier was John Robarts and the education minister at that time was the future Premier, William Davis—set out a clear vision for change. From that vision a whole new area of educational opportunities opened up for the students Ontario.

Expanding on the strong academic traditions of our universities, the government launched Ontario on a bold new experiment in learning through the creation of colleges of applied arts and technology, a system designed to prepare students for the demands of the contemporary workplace. Literally hundreds of thousands of students have taken advantage of our community colleges, not only through one- to three-year programs but many through part-time and adult courses as well. There's no question that what began as a bold experiment has matured into a highly sophisticated network of learning institutions with strong ties to the local economy.

In my riding of Simcoe North the creation of Georgian College, which has many campuses throughout my riding and throughout Muskoka and the rest of Simcoe county, has been a valuable contribution to our communities and to our province. Georgian's recent successes include the top graduate placement rate in the province at 93%, as well as being named one of Canada's top 100 employers. I might add that they are wise enough to advertise that right on the highway, where over 30,000 cars per day pass Georgian College and see the fact that 93% of their graduates do have employment at their graduation. These are all indications of Georgian's corporate commitment to work in collaboration and co-operation with the many community partners.

Last Thursday I was on hand when agreement between the Ontario Provincial Police, the Ontario Provincial Police Association and Georgian College was signed. This agreement was a multi-million dollar expansion of

the police and law enforcement program at the Georgian College campus in the city of Orillia. With the OPP general headquarters situated beside the Orillia campus of Georgian College, it only makes common sense to partner the law enforcement programs that are available through that college. I expect that eventually this college will become the centre of excellence for all law enforcement programs across this province and perhaps even this country. I commend Commissioner Gwen Boniface, OPP association president, Brian Adkin, and Georgian College president, Brian Tambllyn, for this important initiative, which will be very important to our community.

As well, last March our government—in fact, it was Mr Wilson who announced it at Georgian College—announced \$17 million to create 2,744 new pupil places and allow the college to offer university degrees through a partnership with York University. Combined with fundraising and other sources, the \$25-million project will create a centre for technology and enhanced learning at the Barrie campus. Programs to be offered include automotive technology to help supply highly trained employees. I suspect the Honda plant in the town of Alliston will make use of many of the graduates of this very important course.

There will also be programs for information technology, tool and die making and tourism. With these programs and the partnership with York University, the students in Simcoe North will be able to get a university degree without having the expense of living away from their homes, which is often very expensive, as you know if you travel across the province.

I am pleased that this type of funding and support for our post-secondary education institutes is being distributed throughout the province through the SuperBuild growth fund with our investment of \$1 billion. The recent SuperBuild initiative is the single largest capital investment in over 30 years. This commitment, together with funding from partners, will lead to the spending of \$1.8 billion to renew and expand colleges and universities and create 73,000 new student places.

The Ontario Jobs and Investment Board recognizes that colleges, with their links to industry, are well positioned to offer advanced training in emerging areas. Its report, the Road Map to Prosperity, called for a strengthening of those linkages and a greater degree of specialization of college programs to support regional economic prosperity. We agree with that report and believe that we as a government have a role to play in supporting that specialization and regional economic growth.

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The legislation we have been debating over the last three days would establish a new Post-Secondary Education Choice and Excellence Act that would make it possible for Ontario's colleges of applied arts and technology to grant applied degrees on their own. This is in direct response to requests we have received, both individually from colleges and through the Association of Colleges of Applied Arts and Technology of Ontario. In

fact, the association said in its press release, "This significant and visionary action by government recognizes the quality of Ontario college programming, the needs of Ontario students and the demands of the job market."

As I mentioned, colleges were established to provide programs that would prepare students for the workplace of the late 1960s. While the system has continued to evolve within its original mandate, the challenges facing us today require more than incremental change in diploma programs. They call for a new set of choices designed for today's reality, one that reflects the innovative programs developed by colleges and the real needs of students.

Colleges have seen this coming and they have urged us and previous governments for a number of years to permit them to grant applied degrees. They see the value for both students and communities of advanced training beyond the diploma credential in specialized college programs that would differ in structure and content from university programs.

We believe that by allowing colleges to grant applied degrees, we are providing students with the wider range of choices they require, and it would reflect and encourage enhanced quality of the specialized programs that can be offered at our colleges.

Under this legislation, colleges would be permitted to offer applied degrees in areas where there is a demonstrated employer demand for degree-level applied education and training and where current diploma programs are not fully meeting emerging needs.

It is important to note, however, that this is an expansion of the college system. Its primary role will continue to focus on their efforts of providing high-quality certificate and diploma programming in programs of one to three years' duration.

We believe this establishes a level playing field in Ontario for our students, our colleges and our communities. It brings our system into line with the type of innovative programs offered at the college level in neighbouring jurisdictions such as Alberta, British Columbia, Michigan and many other states in the United States. But more important, it helps our students to better pursue their goals. Applied degrees would allow them to achieve, in one program, the right balance of academic and applied skills they need to get the jobs they want, and they could get that education right here at home. I was really interested to hear the other day when the minister said that over 7,000 Ontario students are receiving an education outside Ontario.

For too long we have stood on the sidelines while the entry-level jobs in the job market have become increasingly sophisticated. For too long we have put the onus on our students to take the time to acquire both a university degree and a college diploma in order to pursue their goals. For too long we have watched as our students and their families have been asked to assume the extra cost of getting an applied degree in another jurisdiction.

The members on the opposite side of the House have been very vocal on the issue of introducing degree-granting private universities at no cost to the taxpayers. I think John Ibbittson of the *Globe and Mail* said it best about the Liberals' views on this when he said, "The Liberal stance is dumb on so many levels that it's hard to know where to start, except perhaps by observing that the poverty of policy imagination within the official opposition has reached alarming depths."

What the opposition fails to understand is that Ontario's 25 community colleges already compete with private career colleges like the Academy of Learning, which, by the way, is opening a new campus in the Midland area over the next few weeks. Are they saying competition is OK in the community colleges but not at the university level? If they are, it is a very arrogant thought.

Ontario's universities are established as some of the best in the world. There's no question about that. I think we're all very proud of the universities we have in Ontario. I personally feel that the University of Toronto, with its \$1 billion in endowments, will be successful in competing against places like the University of Phoenix, which is already in the NDP-led British Columbia. This university offers programs aimed at working professionals, a group of people whose needs might not have been met by the traditional university system.

Private universities have the potential to inject a sense of competition into post-secondary education, offering courses and reaching techniques geared to the marketplace. Obviously, there will more use of new technologies, such as Internet and teleconferencing, as we proceed in time.

Interjections.

Mr Dunlop: Yes, I hear the comments from the other side, but they're afraid of competition. Competition is important in every aspect of our society.

I also agree with Premier Harris when he says there are a considerable number of Ontario students who are now going to the United States who are prepared to pay \$40,000, \$50,000 or \$60,000 a year in tuition. If some of these institutions want to provide opportunities here in Ontario at no cost to the taxpayer, why would we not look at that?

I would also like to point out that Ontario has a long tradition of private universities. Today, all are publicly funded, but it was not always that way. Many began as church-related institutions, for example, the Anglican Church with the University of Toronto, the Baptist Church with McMaster University, the Roman Catholic Church with the University of Windsor, and gradually all became public as tax money was needed to fund expansion after the Second World War.

Ontario's last private university, Waterloo Lutheran University in Waterloo, switched to public financing in 1974, and of course we know it has since changed its Wilfrid Laurier University.

If there is no demand for private colleges and universities, they will not be able to compete and will no

longer exist. If there is a demand, then public universities will have to modify their programs to meet the demands of industry and the public, which to me is a necessity.

We want to ensure that the new post-secondary programs are the best. To ensure the quality of new post-secondary programs, this act would enshrine in law the Post-Secondary Education Quality Assessment Board. This independent body would assess new degree program proposals submitted by Ontario's colleges, out-of-province degree-granting institutions, and new degree-granting institutions in Ontario, including privately funded institutions. Using rigorous criteria established in accordance with recognized educational standards, the board would then make recommendations to the Minister of Training, Colleges and Universities about why their proposal should be approved based on the quality of the program and the institution's ability to provide that.

Proposed amendments to the Ministry of Colleges and Universities Act would include permitting the Minister of Training, Colleges and Universities to appoint inspectors to ensure that institutions are administering the Ontario student assistance program properly. This change would help us ensure both the viability of private institutions and the protection of both taxpayers and consumers.

We have asked our students to wait far too long. It is time to put in place a post-secondary system that provides them with the full range of choices they need to reach their full potential. This bill will do that and more. We have a duty to our students. We have to give them choice and competition as we proceed through this next century.

I appreciate the opportunity to speak tonight and look forward to further debate here.

The Acting Speaker: Questions and comments? The Chair recognizes the member for Ancaster-Dundas-Flamborough-Aldershot.

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Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): The riding with the longest name, Mr Speaker, and you know why.

I'm pleased to rise and speak on this—

Hon Mr Stockwell: Biggest member?

Interjection: Be nice.

Mr McMeekin: I missed that. What was that, Chris?

Hon Mr Stockwell: I take it back.

Mr McMeekin: OK. You're a good guy, Chris.

This was an issue that came up in the by-election a number of times. I had the privilege of being educated in the public school system and had the privilege of going to one of those community colleges, as the start of a long and very fortunate educational experience, which eventually saw me coming back to teach at that same community college. I can tell you that educators out there are really worried. It has been said that fear and hope eat off the same plate. They're really worried, because they've seen a lot of the kind of funding that they've counted on gradually being eroded with this government. There are more and more young people, with changes to the OSAP program and such, who are having a more and

more difficult time, greater difficulty just seeing how they're going to swing things.

There is an increasing lack of confidence in our post-secondary institutions, which I think is going to be further eroded with this piece of legislation. Educators are very conscious of the fact that this government, I believe, currently stands 59th out of 60 North American jurisdictions in terms of per capita investment. That doesn't mean—

Mr Ernie Parsons (Prince Edward-Hastings): We're number 59.

Mr McMeekin: Yes, 59. On the bottom. They're worried about it. I think this government, if it's going to move forward with this, has to be cognizant of those concerns and do everything they can to make sure that they're responded to.

Mr Bisson: I listened to the comments from the member across the way, from the Conservative benches, and it really amazes me that they're trying to portray this as an issue of choice. They're saying if we don't introduce private universities in Ontario, students across this province will not have choice when it comes to post-secondary education. It's totally ludicrous, because we already know that in the province of Ontario there is plenty of choice when it comes to the choices young people face—and other people who decide to go to university in later years—within the province. There is a multitude of good public universities in this province, world-class universities, I might add. There is the University of Toronto, Queen's and number of others that I can list, Laurentian University in my own area, Nipissing University in the Premier's own riding, and the list goes on. It's not as if people in this province don't have a choice when it comes to what kind of post-secondary education they want to follow.

But the policy in this province has been, and for good reason, that what we would promote by way of public dollars, is public education when it comes to post-secondary education. The reason we did that is because we tried to move away from the policies of the bad old days, the policies that said what decided what university you went to and the quality of post-secondary education you'd get was based on how much money your parents made. The government is trying to portray across the way that the only way that kids are going to be able to excel in this province is to go into a private university. It's ludicrous. We have some of the best post-secondary education systems here in Ontario, and we don't need to be going the way of private universities.

I listened to the Minister of Labour across the way. He went, "But Howard Hampton went to university in Toronto." He's a hockey player. The guy got there on a scholarship and plays good hockey. He was one of the lucky kids from a working-class family who was able to do that. But how many students out there have the skills or the dollars to be able to get there on a sports scholarship? I just think the government is stuck on this, and we'll hear more on this from the Minister of Labour, who

will berate us on other issues when it comes to public education.

Hon Mr Stockwell: I'm trying to point out the inconsistency in this argument. The inconsistency is you're talking about the fact of choice and you're telling us that the only choice is X. But apparently it wasn't. Because I've gone through further to look and see where else some people went to university, and it seems what you say is, "This is only good enough for us but can't possibly be good enough for all the people in the province." OK, Howard Hampton went to Dartmouth on a hockey scholarship, and Bob Rae went to Oxford and was a Rhodes scholar, and Shelley Martel went to the Sorbonne in France, and Tony Martin went to Denver, Colorado, to university.

Not to let the Liberals off the hook, my friend Cordiano went to Tulsa. Kwinter went to Syracuse. McGuinty Sr, the father of the leader of the Liberal opposition, went to Colgate and Harvard. These people had a choice. The choice was that they went to school out of the province.

When we offer the same choice to the hard-working people in the province of Ontario, suddenly, all these folks well-educated off these shores, suggest, "That's not good enough. It's only good enough for me and my confreres, but it's not good enough for everyone else."

If these universities are capable of educating the leaders of your own parties, why would they not be capable of educating the good constituents in Timmins? I just don't get it. If you want to have a free and open system, if you want to tell us the only thing we need is public education, then don't elect two leaders of your parties who were educated overseas. It makes sense to me. I don't know why it doesn't make sense to you.

Mr Dave Levac (Brant): One of the interesting things the member for Simcoe North started to allude to regarding privatization of our universities is that we have to be careful to make sure that we unfold, peel back some of that onion that seems to be smelling up the place.

It's a privatization issue right across the board. It's one more example of this government's ability to try to get us off the topic and off the desire for us to understand what the overall agenda is. We're going to do that with our hospitals. We're going to do that with our schools. We're now going to do it with our universities. We're doing it with our jails and our institutions. We want to privatize all those things.

When we've done some of the research behind that, we've also found out—for instance, with the privatization of our jails, to give an example, in the member from Simcoe North's very own riding 70% of the constituents in the municipality of Penetanguishene, 70% of people polled by the government's own money, by our taxpayers' money, said no to privatization. They haven't taken it to the people of the province of Ontario. They haven't taken it to anybody other than those people who are going to give them the answer they want to hear.

What I'm saying, very clearly, is that there is a solution. The Minister of Labour keeps trying to tell us

that privatization is the only other option available. Well, quite frankly, the option is very clear and very easy. Why don't we improve the public system we presently have? Why don't we invest the money that you've taken away in the first place? Why don't we do something for my riding which this minister hasn't done, and that is to give them money that's owed to the students in Laurier Brant. They're not giving any money to them. Although they've opened up a branch in Brantford, they're not giving them the money they need to fulfill their mandate.

Why don't you put the money forward that you need to put into the public institutions and make it work, without this other experiment that's going to blow up in your face?

The Acting Speaker: The member for Simcoe North has two minutes to respond.

Mr Dunlop: I'm trying to get everyone correctly. I thank the members for Ancaster-Dundas-Flamborough-Aldershot—and congratulations—for Timmins-James Bay, Etobicoke Centre and for Brant for their comments. Thank you very much.

When we talk about the private sector, to me it's not a dirty word. Coming from the private sector myself and spending my whole business career in the private sector, I don't consider myself to be someone who's crooked or rotten or whatever you want to say. That's what I gather, what I hear continually, from the members opposite, that they don't like private sector investment in the province. I look at 740,000 jobs that have been created by private sector investment in Ontario in the last five years.

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We've tried to build an economy, tried to grow an economy with the tax cuts. Yes, there have been tax cuts, 166 of them. Those tax cuts have created \$11 billion in additional revenue since we took over. I don't know if that's such a terrible thing. I know we hear from the members opposite fearmongering and scare tactics about the private sector; it doesn't matter what happens. I look back to the road system before we started to maintain our roads with private companies. I think those private companies today are doing an excellent job. Maybe some of you people don't feel that way, but as we go through this legislation, I again see private sector investment and jobs being created and also the many benefits it will bring to the students here in Ontario.

The Acting Speaker: Further debate?

Mrs Claudette Boyer (Ottawa-Vanier): I would like to let you know that I will share my time with my colleague from Prince Edward-Hastings—got it right.

C'est avec plaisir que je me lève pour ajouter ma voix à celles qui ont déjà si bien dénoncé cette idée du gouvernement Harris d'édicter la loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire en favorisant des universités et collèges privés. Je dois vous dire que ce projet de loi aura comme résultat d'accélérer l'érosion de la qualité d'éducation postsecondaire en Ontario.

It is clear that this bill will set up a two-tier education system. It is also clear that if this bill is allowed to pass,

our public university and college systems will continue to erode. Let's not fool ourselves. Our post-secondary institutions have been seriously hurt since this government was elected in 1995, especially with the rise in tuition fees in these past years.

We must face the fact that when a two-tier system exists, the accountable, responsible and affordable public system will suffer. The notion put forth by this government claiming that private universities and colleges will provide Ontarians with more choice is a myth. It is simply not true. To the extent that there is a choice, it is a false one.

Put yourself in a student's shoes. If as a student you have a choice between a private institution and a public institution that charges less and both offer quality education, tell me which one you would choose. Obviously you would choose the cheaper and equally effective public system. But now, if as a student you have a choice between a public institution that offers little hope and a private institution that offers quality education, again which one would you choose? The answer is that even though the private institution is more expensive, you would likely choose it because it offers a better education and it offers excellence. It is when these two simple scenarios are offered that the issue begins to clear up. It becomes clear that when both are equally effective, the public system will be the favourite one.

The provincial government believes that the public and private universities and colleges can work side by side and compete on an equal basis, but let me tell you it has yet to be shown that it is possible. With the introduction of this bill, the government motive becomes clear. It appears this government wants to pass the buck and renounce its responsibility to public education. The best way to do it is to allow private institutions to compete with public universities and colleges. This will no doubt again serve to continue the erosion of our public university and college systems, and this government is aware of it. Eventually this government will seek to ensure through more underhanded ways that private universities and colleges become significantly superior to public ones. This, in turn, will provide them with a perfect excuse to choke off funding to public institutions, arguing that the public sector has failed to show its merit and its relevance to Ontarians.

The competition the Minister of Training, Colleges and Universities speaks about, as far as I'm concerned, is not healthy competition. It is not healthy because it leaves the public system to fail. The reason for this is fairly obvious. It is unhealthy competition because it allows private universities and colleges to set up, charge the tuition they want and at the same time receive indirect government funding through OSAP, tax credits and research grants to help.

Ce gouvernement sait fort bien que la population ontarienne ne le laissera jamais étouffer le système public d'éducation. Par contre, ce gouvernement essaie de le faire sous notre nez. En nous offrant le faux choix entre universités et collèges publics et universités et collèges

privés, nous ne faisons pas un vrai choix entre deux systèmes de haute qualité. Il faut admettre que, pour que le secteur d'éducation privée puisse fonctionner, il faut rendre le système public de moins en moins efficace. Vraiment, si ce gouvernement favorise le marché privé, qu'il nous le dise, mais qu'il arrête de prétendre que ce projet de loi offre un choix pour les Ontariens et Ontariennes. Qu'il arrête de nous dire que le système public et le système privé pourront fonctionner un à côté de l'autre.

Si ce gouvernement croit si fermement dans l'excellence et croit vraiment que nos institutions post-secondaires publiques sont de première classe, pourquoi ne pas investir davantage dans le système public ? Vous savez que nos universités et collèges publics en Ontario se comptent parmi les meilleurs au Canada et même au monde. Pourquoi mettre ceci en péril ?

This government has done a pretty clever job at hiding its real intentions. It is disguising its desire to end public education as we know it by using nice words such as "competition," "excellence" and "choice."

This government has failed to protect post-secondary education and now it wants to fail to ensure its survival.

Je me demande si ce gouvernement a pris en considération la situation dans laquelle se trouvent nos universités bilingues face à ce projet de loi. La situation qui se présentera dans le système anglophone si ce gouvernement laisse compétitionner le secteur privé est grave, mais ce n'est rien quand nous regardons le sort éventuel de nos universités bilingues. Le nombre d'universités qui offrent des cours en français en Ontario est déjà très minime. Si nous laissons le secteur privé envahir notre système universitaire public, nous passons le risque de voir le secteur public s'effondrer très rapidement dû à une compétition extrêmement féroce et extrêmement malsaine.

Le fait que nos universités et collèges privés vont pouvoir s'établir en compétition directe avec nos universités et collèges publics, avec l'aide du gouvernement provincial, pose un problème très grave pour nos institutions publiques. Nos universités et collèges publics ne pourront pas compétitionner parce que l'enjeu n'est pas juste. Je me demande encore une fois si le gouvernement a pris ça en considération. J'en doute, parce que je sais que le ministère des Collèges et Universités n'est vraiment pas équipé de façon à pouvoir analyser complètement la situation face à l'impact de ses politiques sur la communauté francophone. Je sais que le ministère de l'Éducation, par exemple, a des fonctionnaires qui s'occupent exclusivement des dossiers relevant de l'éducation francophone. Ceci rendra très difficile une analyse complète de l'impact de ce projet de loi sur la communauté francophone.

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Le fait que le ministère n'a pas de branche francophone qui s'occupe exclusivement de nos institutions postsecondaires francophones, est-ce que ça signifie que le gouvernement ne considère pas important ce dossier ? Est-ce que c'est acceptable ? The truth is that

this government seems to prefer private universities and colleges to public universities and colleges. I challenge this government to do one of the following. If it truly believes in the merits of public institution education, then it must examine how public universities will be able to survive should this bill come into effect.

Au nom de Dalton McGuinty et du caucus libéral, je me déclare en opposition de ce projet de loi. Nous croyons fermement dans l'augmentation d'investissements dans notre système public. Nous ne croyons pas que notre futur est entre bonnes mains lorsque nous donnons la responsabilité d'éduquer nos jeunes adultes à des investisseurs privés s'ils n'ont que des profits à considérer.

Voici donc les commentaires que j'avais à partager.

Mr Parsons: There are really two areas covered under this bill. I would like to talk initially about the college system, with the government's intention to allow them to grant degrees, an extremely good intention, by the way, making us much more viable in the world market for our graduates.

The college system was started by Bill Davis when he was Premier, which was back in the good old days when the Conservatives could do things right, and I congratulate them for that. This government has taken Davis's legacy and cut \$400 million out of post-secondary education, much of it from the college system. The funding for community colleges is a disgrace. In the five years this government has been in office, the funding at the college I was at went from \$5,000 per student to \$3,000 per student, certainly not something to strengthen public education.

The reality within a college or university is that some programs are more expensive to offer than others. The engineering and the nursing programs are considerably more money than a general arts program. Colleges are faced with having to deal with the cutbacks by cutting the high-cost programs. Unfortunately, all too often the programs that are cut are the ones that receive extremely high employment for graduates and the graduates receive extremely high income. So the programs that the province and the country need most are sacrificed because of the reduction in funding.

The colleges have been hurt, as I said, far out of proportion to their size and what they serve. That means the students within the college system have had to struggle to afford college. Tuitions have doubled over the last seven years, and students are facing increasing problems being able to afford to go. Students, by and large, are doing summer jobs with minimum wage, not enough to afford a post-secondary education, particularly one away from home. Interestingly, \$40,000 is about the average income in Ontario for families. The number of students at post-secondary from families that have \$40,000 a year or less in annual income has decreased by two thirds over the life of this government. Forty thousand dollars is too much for students to get a grant or loan, but at the same time \$40,000 is not enough for a family to be able to send their son or daughter to a

college or university outside of town. That's going to cost \$12,000 to \$15,000, and that's not possible on \$40,000 before-tax income.

The students sometimes have had to resort to part-time jobs during the school year. Certainly it's great to see the initiative and to see them working at jobs to fund their way there, but part-time jobs and post-secondary education do not go together very well. All too often the students are forced to work in the evening when they should be doing their assignments or doing research. They suffer academically because of having to do these part-time jobs to fund their university. I believe that's very short-sighted on the part of this government.

This government has made great announcements about the money they're putting into post-secondary, and there have been quite a number of announcements of college funding over the past year. Unfortunately, this has been capital money; it's to build new classrooms. At the same time the province is funding new classrooms, the number of full-time faculty has decreased dramatically. So instead of having old empty classrooms, we're going to have new empty classrooms within the system.

The larger classes are detrimental to learning, particularly at the college level where very much of it is practical. A hands-on, lab type of course is required, and that does not work with a class size of 60 or 70. When you break them down into units of 15, 20 or 25 for a lab, the funding is not provided for that. What the colleges have been forced to do is fall back on part-time faculty. Nothing against part-time faculty, but from a student viewpoint part-time faculty tend to come into the college, teach the one hour or three hours or whatever and then leave, because they're not going to make a living on their part-time hours. For the post-secondary student who needs to talk to their teacher outside of regular classroom hours, for any number of reasons, they're not available. Again, when we hurt the students, we hurt this province.

Colleges have also had to considerably reduce the number of hours that students have in a program, yet our graduates continue to be incredibly successful. The graduates who are incredibly successful, though, are doing it not with the assistance of this government but with the opposition of this government.

Then we get to the other aspect of the bill, which deals with private universities. If we as a province are comfortable with private universities, why wouldn't we be comfortable with private hospitals? There's a natural extension. This may be a kind of trial balloon to see how much we can privatize. This government would privatize this Legislature if there was a buck in it for them. But the issue of funding, in the statements that they will get no public money, has not been borne out by the American experience, and we're hearing great references to how it works in the US. In fact, in the US many of the universities receive funding. On average, about 30% of the funding for a private university is coming from public sources.

But some programs cost less than others. As at the college level, the university-level engineering program

costs much more money to offer than the arts program, and at times one program subsidizes another. What I fear private universities will want to do is offer the low-cost, high-volume programs, such as general arts—worthwhile programs but considerably lower to offer—leaving the public universities to try to find ways to fund medicine and engineering. They, as private universities, will obviously choose the most profitable ones. The whole purpose of them is to have profit.

The other reality for the funding of universities is that universities derive some money from tuition, some from government grants and some from corporate sources. We're going to create a new group of universities that will compete with the public universities for corporate funding. Corporations are not going to increase their funding substantially, in all likelihood, so we're going to see the publicly funded universities receive a decrease in it.

The curriculum is absolutely vital. Curriculum is extremely expensive to produce. Will private universities coming into Ontario want to produce a made-for-Ontario curriculum, or will they want to use the curriculum from their own home state, wherever they're headquartered? This government is prepared to allow them to meet the requirements for their own home state, and we're going to see a considerable slant to American curriculum rather than ours.

I'm the critic for disabilities. There will be no requirement for private universities to provide interpreters in sign language or to provide closed-captioning. That closes the door to citizens in our province who are people with disabilities.

The private universities are going to have a requirement that if they go bankrupt they have to give the tuition back. Please explain to me how a bankrupt university can give tuition back. "Bankrupt" means they owe more than they have.

There are certain basic services in this province that we must control. About a year ago, Bill Davis said that if we value good health care in this province, then we must value good education. We have good health care only if our graduates are able to get good employment and if employers wishing to start up and operate in Ontario are able to get good employees. We don't get good engineers from bad universities. We don't get good doctors from bad schools. It is vital that we have a quality education system, not just for the education but for the very success of this province and every component of this province.

Again I give credit to former Premier Davis for recognizing that the key to our prosperity, to our health care and to the quality of life in Ontario depends on our young people having the right education, not just the right curriculum—obviously that's important—but they must have the opportunity. There should not be a requirement that they be strong academically and that their parents be wealthy. Any student who is strong academically will be a credit to this province, and there must be an absolute assurance that our public education system will be available for them.

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The Deputy Speaker (Mr Michael A. Brown): Questions and comments?

Mr Bisson: The joke about this debate is that at the end of the day the government side is going to do absolutely nothing when it comes to trying to find some compromise or some way to make this initiative work, if it ever could. We have a system of politics in this province, in this country I would argue, that's antiquated and old that is unfresh, that is back probably 300 years, where a party that wins 43% of the popular vote in an election is able to come in with a clear majority in this House and do absolutely what they want. What makes it even worse is that they've got the gall to come in here and change the rules of the House so they can do whatever they want. They can move on closure, they can do what they want and they don't give a darn about democracy.

I say to the members across the way that I don't believe any party, including mine, should have a clear majority in the House when it comes to anybody who gets less than 50% of the overall vote in a general election. I think it's wrong. It's not the way to do things. It's not the way to represent the interests of the democracy we supposedly cherish.

We listen to this debate; we listen to other debates. It doesn't matter what the debate is in this place. These guys—predominantly guys—on the other side are undemocratic and don't believe in the democratic process. They have an agenda, rightly or wrongly. If it's good or bad, if it's indifferent or terrible, it doesn't matter. These guys are going to go ahead and do it anyway and be damned with the public of the province of Ontario, because at the end of the day our antiquated system of elections around here says that if Mike Harris gets 42%, he can end up with 60% of the seats and he can do what he damn well pleases and nobody's got anything to say about it. I say there's something wrong with a democracy that works in that fashion and we should move off this stupid system and move to a system of proportional representation that allows people the ability to see themselves in this House and to know that at the end they can have an effect on what happens on the other side.

Mrs Tina R. Molinari (Thornhill): I'd like to join the debate this evening. I want to thank the members opposite for their comments on this legislation. I want to remind the House that this legislation is all about giving students choices and providing more opportunities for students in post-secondary education.

I recognize that change can be difficult for those who have grown accustomed to the old way of doing things, but in the complex world ahead, students need to be prepared for change. Students need to be prepared for an education system that responds to the needs of the future. With this legislation, this is what we will be providing for our students.

The minister commented on how this legislation can be, and has been said to be, controversial, but I believe

this legislation is courageous. It shows courage in this government and in this minister to lead the way in changing the education system and providing choices for students so there are more opportunities for the changing world.

The minister has repeatedly said in this House that any private university applying to grant degrees in Ontario must meet or exceed the criteria set by the quality assessment board. We've set up the quality assessment board which will determine all of the applications that come in from any post-secondary institution wishing to open up in Ontario. They have to meet certain criteria: one will be the protection of students; the other criterion will be excellence in education. These are all criteria that this board will ensure are in place before any institution is granted the opportunity to open shop in Ontario.

Providing applied degrees for colleges is something that all the students have been requesting, and so as a government, we will be providing this.

Mr James J. Bradley (St Catharines): The members for Ottawa-Vanier and Prince Edward-Hastings both gave an outstanding speech and really put in context the problem that exists with this piece of legislation. One part of the legislation is fine; that is, allowing the community colleges in certain circumstances to grant degrees. That makes sense. There is nothing wrong with that. The second part is the real problem.

What this government is largely about unfortunately—this hasn't always been the case with the Conservative party—is privilege. It's about the most powerful people, the wealthiest people having special privilege, that privilege being available to certain people who can buy their way into these universities.

Hon Al Palladini (Minister of Economic Development and Trade): You don't believe that, Jim.

Mr Bradley: I do believe that. That's why I'm on this side of the House, because I feel your government believes in offering a choice to those who have the privilege of being able to pay for that choice. That's a major difference. I believe in the publicly funded education system, which is designed—it doesn't always achieve this—to provide equality of opportunity so that people, whether they are the son or daughter of Conrad Black or the son or daughter of a person who, unfortunately, finds themselves on social assistance, can both have access to the same university.

But you don't want to expand your university system to accommodate those students, particularly in the double cohort, who are going to need that accommodation. Instead you want to offer an option to the richest people to allow their children to be able to go to an American type of university that comes into this province. It would be much better to be able to invest in the education system we have here, in our colleges and our universities, the appropriate amount of funding so that everyone can have that access and not just the children of the rich and privileged.

Mr Sergio: I'd also like to compliment my colleagues the members from Ottawa-Vanier and Prince Edward-

Hastings for their wonderful input on this bill that is in front of us today. Let me say that indeed the introduction of this bill will take away money from the people of Ontario, from the people who can only afford less, to support private education. The government has starved post-secondary education. They cut some \$400 million back in 1996—

Mr Dunlop: We have not.

Mr Sergio: Yes, you have—and they have not put any money back into the system. The government should take into consideration, when it is willing to introduce private education, that every educator, including those in the States, has been saying it isn't working. It has not been working in the States and it will not work here in Canada. What will it do? It will not give extra opportunity to our Canadian people, our Ontario people, especially those who can least afford it. It will siphon money away from our public school system to grant tax incentives and student loans, which should be addressed to support the public school system.

What we are saying on this side of the House, and what our leader, Dalton McGuinty, keeps on saying in this House, is that we should be supporting, and we should be increasing equal funding for, the public school system, so everyone will have an equal opportunity for a good education in Ontario.

We don't fault the government when they say, "We want to have a wonderful, well-educated work force." How are we going to do that if we don't give equal opportunity to less fortunate people? I think it's our responsibility to give peace of mind to the parents and the kids in our province.

The Deputy Speaker: Response?

Mrs Boyer: I would like to thank my colleagues from St Catharines and York West for their good words. Really, while listening to all this, I see that the truth is that this government seems to prefer private universities and colleges to public universities and colleges. That is why Dalton McGuinty and the Liberal caucus are going to vote against this bill: because it is wrong, it is ill-conceived and it is misleading. This whole bill is dishonourable and is not what the people of Ontario want or deserve.

De plus, l'impact de ce projet de loi sur nos universités bilingues n'a vraiment pas été considéré ni même étudié. C'est malheureux, car l'impact de ce projet de loi sur nos universités bilingues sera beaucoup plus sévère qu'il ne le sera envers les universités anglophones.

Que répondez-vous, membres de ce gouvernement, si nous osions aller jusqu'à demander, jusqu'à exiger, dans un futur rapproché si on faisait la demande en Ontario de nous donner, à nous les Franco-Ontariens et Franco-Ontariennes, notre université francophone ?

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The Deputy Speaker: Further debate?

Mr John O'Toole (Durham): It's certainly my pleasure to join in the debate tonight on Bill 132. I know as in all things, change is difficult. That's a starting point, that government has to sort of initiate change, and by its

very nature change in itself is disruptive. We can talk about that, but I think you basically have to look at what the people want. When I look at the debate tonight on Bill 132, I tried to sort of go back and follow this debate to see if there have been any issues raised over the past while.

There have been special task forces look at post-secondary reform. I look at the Smith report as a good model, and the former president of Queen's University as a very capable person to make some comments about reforming post-secondary education.

I'm an alumnus of the University of Toronto and I have the highest regard for that university just across the street here. I took most of my degree as a student working, as a full-time employee. I did have the privilege of some full-time attendance, but by and large, and even when I was doing my work toward my master's degree, most of it was part-time. Access is the issue here, and how to provide access to people in an education-based society. We're always told technology or education or knowledge is the power in this new economy.

There were a couple of discussion papers. In fact, the Honourable Dianne Cunningham introduced her discussion paper in April 2000, and after that she initiated Bill 132 on October 19, 2000. The bill ended up—and I just want to go through some sequence here in the short time that's been left for me, which is unfortunate; that's another argument. I should be given twice as much time because there's so much that needs to be said.

Here's the response from the Association of Colleges of Applied Arts and Technology. This is dated April 28, 2000, and what they're saying is, "The Association of Colleges of Applied Arts and Technology applauds today's government announcement that gives the colleges the right to award applied degrees." I can only say to you that I've listened and worked with Gary Polonsky, as have Minister Ecker, Minister Flaherty and Mr Ouellette, along with Chris Hodgson, to try and allow Durham College to offer our constituents, our common constituents, the right, after the hard work, to earn the legitimacy of a degree.

I suspect that's the most significant part of this, that the Ministry of Training, Colleges and Universities Statute Law Amendment Act enabling legislation enables the minister to establish the Post-secondary Education Quality Assessment Board. I've got to stop here. This is the most important thing. The member from St Catharines should pay a little closer attention because this is the essence of the whole thing. "Quality" and "accessibility" are the two watchwords of this bill. Quality will not be compromised by Minister Cunningham or Minister Ecker or this government, but accessibility is something we must address in a changing workforce, where people and their habits and their children and their families need to have different models.

For instance, Mr Speaker, you would know that the Internet—I don't know if you've logged on recently; perhaps you haven't. But I think it's important to know that today you can get a virtual university on the Internet,

and it is an important area for the government to recognize what's actually going on. In fact, I think the first virtual university was in BC. There was quite a bit of outrage, if you follow that argument, and that university was really allowing people in the workplace to get a master's degree.

Now, this is my next legitimacy, if you will. I worked at General Motors, I'm very proud to say, for over 30 years. When I was there, they offered, and I was in the first class of, the General Motors Engineering and Management Institute, which is a full-time, private university in Michigan, and they offered a masters of science in manufacturing management. I completed most of those courses—not all, because most of it was engineering. My undergraduate degree was in economics, and I found it, quite honestly, a very rigorous program. The statistics in graduate school were—I had to work extremely hard. But the point is that General Motors brought this forward to the workplace and offered people an opportunity to improve themselves.

That's what this government is doing. If you live in Durham, you'll now be able to get an applied degree without having to pay about \$8,000 a year in rent. That's what this means to families in my riding. Let's stay focused here. It also means that people who have a college degree, or mature later in life, can now log on, arguably to the Ministry of Education, or Training, Colleges and Universities, and arguably they will be able to attend a university without ever leaving their family, or without having to travel or having to board.

The future's here, and what this legislation does is, first, recognize that quality will not be compromised. The standards of Ontario colleges and universities are world-renowned, and I think what is most important is the accessibility, finding a new model, a new method of delivering post-secondary education in a time when we know it's a knowledge-based economy.

Now, there will be those on the other side who will criticize. I understand that. Their job is to basically criticize everything we do. But I suspect if the members from the other side were actually listening to their constituents—and I often listen to the member from Hamilton East barracking. He basically is the man with one tone. I want him to stand in his place tonight and speak on behalf of his constituents, not on behalf of Dalton McGuinty—

Mr McMeekin: He does that every day.

Mr O'Toole: No, no. He should actually speak with his heart, listen to the people from Hamilton, listen to the people from McMaster, Algonquin. Listen to your real constituents and I think you'll come to the realization that this is the right thing to do. It's enabling legislation, and I suspect that if nobody wants the post-secondary courses, then clearly there won't be anyone attend them. But what are they afraid of in providing this opportunity for students who in some other model may not want to take the traditional course? They may want to take an accelerated post-secondary degree or training or certification.

I think competition, although it's a very difficult bridge for the other side to appreciate—they like the monopolistic, traditional position, and they have no courage to make the tough decisions for their constituents. That's the most important thing here, to listen to your constituents and do the right thing. It's about quality and it's about accessibility, and I'm certain, if they are listening tonight, they may vote for this bill.

I can feel the movement now, that some of them are actually turned. I know the member for Brant, as a teacher, said earlier tonight to one of our ministers that unless you have a post-secondary degree, you really don't know anything. Well, perhaps that's his point of view. Once you get your bachelor of ed, you actually know a lot more than—perhaps you'd agree. Now, it's just as well that he's not working with our young people any more, that he's here able to stand on his feet and tell his constituents that they don't have to have accessibility and quality. You stand in your place, Mr Levac, and tell them—

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The Deputy Speaker: Perhaps the debate could go through the Chair.

Mr O'Toole: Mr Speaker, will you pass that on to Mr Levac, please, because I'm not sure he can hear me anyway, even with a good ear turned toward me.

We've talked about tuition and in the few minutes I have left—under the Liberals, university tuition increased 35% and college tuition increased 29%. Under the NDP, university tuition increased 50% and college tuition increased 36%. Their method was to apply more money to a system that wasn't providing all the choices for students. Our suggestion here is that we're providing choices for students. At the end of the day, they get to choose whether they go to the university offering a course tailored to their particular needs or they go to the traditional institution and take four years to complete a degree with 20 credits.

I think there are lots of choice in the future, and our government is prepared to look at it.

The Deputy Speaker: Questions and comments?

Mr Bradley: I want to say that in one place I do agree with the member for Durham, and that is that there were some disparaging remarks made about the board of education in your area by another member, the member for Northumberland. I think you contradicted him and I want to commend you on contradicting him and supporting the board of education that he was unfairly attacking. I want to give that much credit in the House this evening.

I want to emphasize again to the member, and he knows this, that I think it was timely to allow community colleges, in certain circumstances, to grant degrees. That makes all kinds of sense. We've seen that evolution take place. Where the disagreement with this bill lies of course is in what you call competition. Very often, what that competition does unfortunately is, instead of having positive effect on the publicly funded system, it starts to erode it considerably. When you have a publicly funded

system that is well supported—and frankly I can't speak for the Minister of Education herself, but I would think her goal would want to be to protect publicly funded education. She's said that on a number of occasions. I think when you allow this kind of intrusion into our country of universities coming from somewhere else, really the people who have most access to those are going to be the wealthiest people in the province. I know you think that like with the health care system if you allow rich people to have their own health care system, if you allow 'rich people to have their own choices in education, somehow it relieves the pressure on the rest of the system. What it does in essence is, it has a detrimental rather than a positive effect on the publicly funded system. That's what I worry about.

The member was a member of the board of education. I think he understands well the importance of publicly funded education, and I hope he would share my concern and worry about that.

Mr Bisson: Again, if you listen to debate, what this is all about is privilege. It's about giving those who have most in this province, those who can afford most, an opportunity to get something supposedly better than everybody else. What they want to do is give people with money an opportunity to get out of the public system and to go into the private system and supposedly get something that's of superior quality. I don't know if that's going to be the case, but I would hope that in Ontario, as legislators, we would come to this place and would debate bills and try to find ways of providing opportunities to all Ontarians, not providing opportunities for a select few. It's really a sad debate that we're into in this place.

The other thing I'd say is that John Snobelen, when he was first appointed Minister of Education, set the strategy out in 1995, that they would create a crisis in the education system and that crisis would be the opportunity for the government ideologues and the Conservative-Reform-Alliance party of Ontario to make the kinds of sweeping changes they want in education. They underfunded the public system of education. They've cut by over \$500 million the amount of money we're sending into our post-secondary system. They're making student debt a huge problem in this province, where people are having to increasingly get into more and more debt to get public education. They're allowing all kinds of stuff to happen to the university sector that is increasing tuition for students, and they're creating that crisis. People are saying, "There's something wrong with the public system so we want to figure out how to fix it and how to find a solution." Presto, there they are, they're coming in with private universities. I say to members across the way that this debate is the beginning of a very sad path this province is going to take, one that changes from the politics we've had in the past, where together we tried to find solutions that work for all people, to where the Tories do suggestions that work for only a select few.

Mrs Molinari: It's certainly a pleasure to once again speak on this legislation put forth here today that we're

debating. It's all about providing choices, as has been stated by some of my colleagues, and it's unfortunate that the members on the opposite side don't realize the choices that our students need for the future.

I want to talk a little bit about the applied degrees that will be offered through this legislation for the universities. The report A Road Map to Prosperity called for a strengthening of those linkages and a greater degree of specialization of college programs to support regional economic prosperity. It is essential that the colleges are in a position to be able to offer the applied degrees. We've heard it from numerous students who leave Ontario, who leave the country to access the kind of education that we could be providing here in Ontario. When we're seeing that our students are leaving the province and leaving the country, it's incumbent upon any government to offer choices and provide for them what they are seeking elsewhere. We talk about the brain drain. We want to keep our students here in this province so that once they're educated here, they stay here, so that we'll be able to keep them in our province and in our country.

Even the member for St Catharines supports applied degrees. I was pleased to hear that because there is a lot in this legislation that I'm sure the opposition members would support if you would read it and give it credit. Open your minds to it. Don't just take the direction from your leader. Open your minds to what is in the legislation. I know if you do that, you will agree.

Mr Levac: Originally I was going rise to defend myself against the words spoken by the member from Durham, but I'm not going to waste my time.

What I will talk about is the fact that I try to bring to the attention of this House again that this is not just a single issue of private universities. I want to make it very clear that there are issues across the board that this government has introduced time and time again that are continuously reflected under words such as "competition," "better efficiencies," and all of those other buzzwords that have been used across the way in order to try to defend the idea of profit-taking.

I want to ask the Minister of Correctional Services and the member for Simcoe North to tell us why—70% of the constituents in his riding have said no to privatization. They went straight to the people and they asked them, "Would you support this private institution if we made it private?" The answer was no. What do they plan to do? They continue to go down the road of privatization. In essence, they've spent about \$100,000 to date to try to change their minds. They've spent \$100,000 out of taxpayers' money in a small area, in Penetanguishene, to try to tell them they don't know what they're talking about when they have stepped forward and said to the privatization issue, no; 125 communities across the province have said no to private prisons; 125 communities have said to this government in a letter, by resolution, by city council, elected officials, "Do not talk to us about privatization."

It's very clear that the government has no intention whatsoever of listening to the people of the province of Ontario when they do speak to the issue of privatization. So this is much bigger than the university issue, but very focused in. One of the issues that does come up time and time again is, what about privatization of our universities? That's choice? They have not improved the public system. That's what they're doing wrong.

The Deputy Speaker: Response?

Mr O'Toole: I certainly appreciate the members' taking the time to, first, listen and, second, respond to the comments. More important, I have a lot of respect for the member from St Catharines. I think it's a matter that the glass is half full or half empty. He's an optimist. I can see that. He said he agrees with part I of the bill. I really think that working with this government—and I certainly would listen and I know Minister Cunningham would—will get it right on this quality piece for part II.

You would know today that there are private universities operating in Ontario and have been for some time.

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I want to quote here from Paul Davenport, the president of the University of Western Ontario. My daughter just graduated. That's a fine education. He says that the introduction of some small, niche-based private universities—and I think that's what they will be, very specific—will not be seen as a substitute by most parents and students for institutions like Western, Queen's or Toronto. I personally can live with that. I think they're saying that there are specific, very focused things that they will do a great job on.

I appreciate the fact that the member for Timmins-James Bay did make a comment. He should know—it was pointed out earlier—that the Minister of Labour has made it clear that Howard Hampton attended a university in the States. I don't hold that against him. It probably helped him get to where he is today. Some would argue that's nowhere, but nonetheless—Joe Cordiano, for instance, another person I thought would have been a good leader of the Liberal Party; Shelley Martel went to the Sorbonne, and I appreciate she's very classy and married to the leader of the third party. Perhaps that could change. Who knows? All of these things have nothing to do with universities.

I think the member for Thornhill is right: it's about making choices. Clearly the member for Brant—I haven't got time left to tell him what I really think. I may have to do this out of the House. Thank you very much for the time, Mr Speaker.

Mr Dominic Agostino (Hamilton East): On a point of order, Speaker: I believe the member owes the leader of the third party and Ms Martel an apology for what I think was a totally irresponsible comment.

The Deputy Speaker: I'll give the member the opportunity. I don't think the standing orders would require it.

Mr O'Toole: If I offended anyone, I withdraw it, if there was any comment that may have been misunderstood.

The Deputy Speaker: Further debate?

Mr Agostino: I'm pleased to have a few minutes to join the debate on this piece of legislation that's in front of us. I think, as my colleague from Brant mentioned earlier, this is really a fundamental debate not only about colleges and universities but also fundamentally about the direction this government is moving in when it comes to trying to turn over the running of this province to the private sector.

What we see here, instead of an effort to enhance our university system, instead of an effort to deal with the chronic underfunding of our university system—I'm sure you know that this province is, if not the lowest, one of the lowest per capita when it comes to public funding of our universities. We rank near the bottom. We were 10th, I think, and we may have climbed to ninth out of the provinces across this country. So first of all we chronically underfund our universities. This government in 1996 took \$400 million in funding out of the university system and has only replaced \$200 million of that, so we have a shortfall of about \$200 million already simply from 1996.

The member for Durham said to speak on behalf of my constituents. I can tell you that my constituents and the people I represent in Hamilton East, hard-working people, often of modest income who are struggling, who are working hard to maintain their homes, keep their jobs and raise their families, are many of the people, because of what you have done, whose sons and daughters cannot go to universities across this province because they can't afford to, and they can't afford the debt they're going to have when they come out of university. That's how you've impacted my constituents. That's how this government's actions impact the people I represent in Hamilton East.

When I was growing up my family was very poor. Frankly, it was struggling to get by. If we had the situation today with regard to tuition fees, the size of the debts that young people walk out of university with, I would not have been able to afford, and would not have gone to, post-secondary education. I know that many other people ask all of you to look at yourselves, those who have gone through post-secondary education, look at your own situation, look at your family's and friends' and neighbours' situations and ask yourselves whether you believe that today you would have had those same opportunities, or your friends or neighbours would have had those same opportunities, under our current system with skyrocketing tuition fees. Since Mike Harris became Premier of Ontario, university tuition fees have increased 60%. As I said before, underfunding of universities—\$400 million cut, \$200 million replaced. That's still a \$200-million shortfall. It is embarrassing where we rank in the country when it comes to per capita university funding. It is embarrassing. One of the worst, if not the worst-funded system in Canada.

Now we're going to have the private sector come in, because of course the private sector always does it better when it comes to Mike Harris and his corporate friends at the Albany Club. It's always better when the private sector does it. We've seen it with the idea to privatize the jails—and the Minister of Labour was here earlier.

We've seen the success rate in privatizing collection of fines. We used to have a system where we collected 30% to 35%. The government decided they were going to get smart: "We're going to privatize it. The private sector will know how to do it. They're good at this stuff." Their return is 2% or 4%, when it was 35% before. That certainly doesn't seem like an improvement in my books, but that's this government's approach. Absolutely every single thing you can privatize, you attempt to, and you're doing it here again.

There will be competition all right, for limited resources, for limited grants, for limited tax incentives. Yes, there will be competition, but unfortunately the wrong way. You're going to have a system coming in that's often going to draw away, because they may be able to pay more money, they may simply be able to afford more as a private system. That was the same line Ralph Klein was using with health care in Alberta: "We have to privatize health care in Alberta. Competition is great"—the same approach here for post-secondary education.

Hon Janet Ecker (Minister of Education): Nobody is privatizing health care in Alberta.

Mr Agostino: The minister of everything is yapping away again. You've done enough destruction to the high school and elementary school systems in the province. Please leave the university system alone.

This is a government that has no understanding of affordability when it comes to post-secondary education. Then they say: "Trust us, we're not going to give any financial assistance. Believe us, there's no financial assistance here." Well, they don't talk about grants, they don't talk about tax incentives, they don't talk about the competition for bursaries. Even in the United States, places like Harvard rely, to the tune of about 14%, on government assistance, on public assistance.

Down the line, you are going to do exactly that. You are going to evolve a system where you're going to start funding private universities. You say, "No, no, trust us." That's hard to do, because you told us you weren't going to close hospitals either. I remember that in the Mickey Mouse revolution of 1995. Hospitals would not be closed: "Yes, Robert, it is clear. It is not my intent to close any hospitals." We know how that promise went.

Hon Mrs Ecker: No, that's not what he said.

Mr Agostino: Dr Laura across the floor is now suggesting that Mike Harris somehow did not promise in 1995 not to close hospitals.

They promised not to cut education funding. Well, we've seen that promise go out the door by about \$1 billion. They've totally screwed up that system upside down. Right now we've got chaos in our education system after five or six years of Mike Harris. We've got

strikes all over the damn province. We've got an education system that's falling apart because of this government and because of what they're doing. And they say, "Trust us, we're not going to do the same thing with private universities." That's garbage, Mr Speaker. It's hogwash.

I think what's really telling about this debate—the other night I was in the House and the member from Peterborough was speaking on the bill. I remember the comment, because it really stuck: "University education is a privilege and not a right." That is fundamentally where the Liberal Party and Dalton McGuinty disagree with Mike Harris and the Conservatives. We do not believe it's a privilege for someone to attend post-secondary education in this province. It is not a private club for your rich friends and their kids. It's got to be accessible, because often we have to help the people who need help the most. Wealthy people can afford to send their kids to any school they want in the States or anywhere else across North America. You're doing absolutely nothing for average-income, hardworking Ontarians who can't afford that, except setting up a competing private, high-end university system for them.

Interjection.

Mr Agostino: There's the minister of everything yapping again. She has done enough damage to the secondary and public education system in this province. Very clearly, we believe university education should be accessible to all. Unlike the member for Peterborough, I do not believe it's a privilege; I believe it's a right. It's a right for every single student in this province to attend post-secondary education. If you've got the ability and the skills and the talent and the hard work, financial restrictions should not get in the way of attending university in Ontario. Mike Harris is ensuring that's the case.

Clearly what we see in this bill is another attempt by this government to benefit their rich friends, to allow the private sector to come into an area that, frankly, they have no business being in. Government should have control and properly fund post-secondary education in this province, because that's how we ensure that the gap between the rich and the poor in this province gets closer and closer, not wider, as it is under your government. Education is clearly the route for many young people to get out of lives of despair, to get out of lives where they're struggling, to get out of difficult financial situations.

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That's what brings us together. That's what made this province. That's what has made us the envy of the world, where people can come into Ontario or into Canada and be able to afford to go to university or college. That's what has made this province so great, and now Mike Harris is doing his best to break that up. Mike Harris is doing his best to ensure that we have private education, private universities in this province that are going to take away from our publicly funded institutions.

Interjection.

Mr Agostino: There's the minister of trucks yapping again. They get sensitive. You see, they don't like the idea that we start exposing the Mike Harris agenda to the people of Ontario. They don't like the idea that once again they've been caught trying to cater to their rich friends, cater to those who have continued to fund the election coffers of this government.

That's not what it's all about. It's about accessibility. It's about equality. It's about affordability. It's not about students walking out with a \$30,000, \$40,000 or \$50,000 debt. That's not what it's all about. That's not what university funding should be and that's not what a university education in this province should be.

Unfortunately, this wrong decision to go ahead with these private universities is going to drive one more nail into our publicly funded university system in this province. You should be working to enhance and build, not destroy, public universities in Ontario, and you're not going to add to public universities by turning it over to the private sector.

It is disgusting what is happening here—another attempt by this government to give up its proper role in helping young people and helping the future of this province. It is an embarrassing evening and embarrassing bill we have in front of us.

Mr Bruce Crozier (Essex): On a point of order, Mr Speaker: I had difficulty hearing my colleague because of the Minister of Education and the Minister of Economic Development and Trade. Could you determine for me whether that was intelligent heckling or boorish noise?

The Deputy Speaker: All members would know that only one member at a time has the floor and that heckling is always out of order, but it is especially out of order when members are not in their seats.

Questions and comments?

Mr Clark: The statement that the member couldn't hear the member for Hamilton East—well, the security guards down the hall in the west wing heard the member for Hamilton East. I mean, please. I've known the member for Hamilton East for some time, and he can undoubtedly do a rant, maybe even better than the member for Hamilton West. That's probably why the two of them get confused by the Speaker from time to time when they're called to order.

What's the reality here, folks? Let's back up a little and look at some of the other political rants we've heard in the past. Maybe just for a moment we might want to talk about that terrible thing, tax cuts. Here's this party, the Liberal Party, who said about tax cuts, "What you're doing is hurting the poor. You're borrowing money. It won't work. It won't create jobs." Well, you know what? Now we have Paul Martin in the federal election as the tax cut guy for the Liberals and Joe Clark a the tax cut guy for the Tories. The member for Hamilton East would be happy to know that even the NDP leader, Alexa McDonough, is promising tax cuts. All of them have admitted that tax cuts create jobs.

Interjection.

Mr Clark: The member for Hamilton East is barracking across there. They don't want to talk about the fact that they were wrong and we were right. You don't want to about it when you're wrong. You only want to use political rhetoric. I remember the land ambulance thing. "You know what's going to happen. They're going to privatize it, and we'll have American ambulances driving through Ontario." Do you remember what happened when it came through? The municipalities took it back. It already was privatized and they took it back. Do we hear anything about it now? No. It's more of the Chicken Little party. They're crying all the time, "The sky is falling." Well, it's not.

Mr Crozier: I feel I have to make some comment in this respect. What my colleague was trying to make a point of was that private universities are not the answer to the underfunding of universities, to the fact that the government isn't ready to meet the double cohort. There was a lot that went on in the last few minutes. It reminded me a bit of when my mother used to say—and I have to put this in the right language—that if bovine flatulence was music, you'd be a whole brass band.

The Deputy Speaker: Questions or comments? The member for Timmins-James Bay.

Mr Bisson: I made my comment.

The Deputy Speaker: Questions or comments?

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It's a pleasure to join in the debate on Bill 132. The member from Hamilton East talked about Harvard. As I mentioned one day, I had the pleasure of visiting Harvard and MIT, a couple of schools I wished I had money or the opportunity to go to. I too went to the University of Toronto, like the member from Durham. It's a great school—engineering, bachelor's, master's, the whole bit.

My younger daughter, who is 15 now, is going to go to university when there is the so-called double cohort, when there are going to be a lot of kids wanting to go to university, and I want to make sure the choice is there. She herself, my little one, was very impressed when she went to Harvard and MIT. She said, "This sounds like a great choice, great school, great name. I wish I could go here." On the other hand, I'm saying that perhaps we should make similar institutions available right here in Ontario.

One of the things, as you would have seen recently, is that we have a shortage of IT personnel. Many of the IT personnel, in fact more than 54%, come from India, and most of those graduates are a product of IIT, the Indian Institute of Technology. Those are private schools, wonderfully done. If we had similar schools here, privately run, maybe we wouldn't have that shortage. I certainly would encourage that when we come to that stage, when we have a shortage of skilled people, we make sure that we have the resources available. Is it up to the government to start funding these institutions? I don't think so. I think we should have private people funding those.

The Deputy Speaker: Response?

Mr Agostino: I want to thank the colleagues from Bramalea-Gore-Malton-Springdale, Brant, Stoney Creek, and the member for York West who attempted to speak. I heard with great interest when the member from Stoney Creek talked about tax cuts and how they're taking credit for everything that's happened and so on, compared to the fact that Paul Martin is finally—I guess the difference fundamentally is that the tax cuts happened there once they balanced the budget; the tax cuts happened there once they reduced the debt, unlike Ontario. Understand that out of all the provinces across this country, we were the second-last province, after Glen Clark's BC, to balance the books. We came to the dance quite late.

The reality is that there is a place for tax cuts, but it's only after you get your books in order, after you get your house in order, not when you're borrowing billions of dollars to give a tax cut. I remind you what you've done to the accumulated debt in this province. You've increased it by somewhere to the tune of \$15 billion or \$20 billion since you took office, so don't give me that argument of tax cuts.

The reality, as I said earlier, is that what they're doing here is very clearly a backdoor attempt to ultimately have what are private universities competing head on with public universities, not only for students but for government money. This is where this thing is going to fall apart because very clearly the effort today by this government, as I said earlier, should be to enhance our publicly funded university system in Ontario, to help, not to cut.

You can start by restoring the \$200 million that you cut. You cut \$400 million and gave \$200 million back. Maybe we can start talking about a tuition fee rollback. Maybe we can start dealing with the heavy debt load students have now. Maybe we can talk about the 6% increase in tuition fees. Those are the approaches that should be taken right now. Let's fix and properly fund our public university system before we start giving it all away to our friends in the private sector on the government side of the House.

2100

The Deputy Speaker: Further debate?

Mr Bisson: I've listened to this debate tonight and it's been really difficult to accept some of the comments made by the government side. I've never seen a debate like this, where I feel that the only way I can contain my feelings and my emotions and my anger is to go sit in the lobby, because what these guys are talking about on the other side is changing the fundamental fabric of what post-secondary education is about.

We had a system in this province that we developed by way of reason. We used to have at one time a system of private education in this province, back in the bad old days, the days when the people who got the better education were the people who came from families who had more wealth. It was as simple as that. What this party is talking about doing—the Conservative Party, the Alliance party, the CRAP party, whatever they want to call themselves over there—is trying to bring us back to a

day of privilege, a day of class systems, where if you happened to be the son or daughter of a parent who happened to have the bucks to send you to private university, that's the opportunity you would get and you would be doing better than the average kid out there whose parents couldn't afford to send him. Unless you happened to be a child who had a talent in sports or a talent so that he or she could get some type of scholarship, you had no chance of getting that extra type of education.

We in this province decided at one point we would move to a public system, because we said as legislators back then—go back and read the Hansards, I say to the government members—that what we needed to do was build a quality public system of primary, secondary and public post-secondary education to give people the opportunity to learn, to give people the opportunity to excel, so that we don't necessarily look at their pocketbook as the entrance qualification to get into those post-secondary education systems.

What we've done over the past number of years is that we've managed to build a fairly good system of post-secondary education; I would even argue one of the better ones in the world. We have foreign students from around the world. I listen to these guys across the way talk about, "The only way Bob Rae was able to get an education was to run to Oxford University, and Shelley Martel went to the Sorbonne." People in all kinds of places across the world decide to go to other universities, sometimes not so much because of the excellence but because they want to study in another environment to see what is going on, to see if they can learn something different and bring it back to their jurisdiction.

You just have to go to the University of Toronto and take a look at how many foreign students we attract at the universities of Ontario. We charge them full tuition. They come in and get quality education. They go back to their own home nations and they practise what they've learned at the U of T. Of course you have students in Ontario who do the same thing. These guys argue that because we have Ontario students who decide to go to Yale or some of the other public and private universities in other countries, it's an admission that our public system doesn't work. What a joke. What a disservice. What a changing of the truth when it comes to what you guys are talking about.

The reality is that we have a good system of post-secondary education. I would argue it used to be better. I would argue we had a time in this Legislature when all members of this House—Conservatives, New Democrats and Liberals—accepted that we had to make the investments necessary to make post-secondary education the best in Canada and the best in the world. We've managed to build up fine institutions across this province, in this very city, in northern Ontario and in various parts around this province. Our graduates from our post-secondary facilities are among the best in the world. They're sought across the world, in engineering and all kinds of sciences, doctors, physicists. We have all kinds

of people who are graduating out of our post-secondary system who are among the best in the world.

For you guys to argue choice, come on, give your head a shake. It's not about choice. It's about you fulfilling your ideology: public sector bad, private sector good. It's the old argument: you Tarzan, me Jane. It's so simplistic that it's absolutely stupid. I say to the members across the way it's a disservice.

The other point of this debate that really bothers me is that when we get into one of these ideological debates that we have tended to get into more and more in this Legislature over the past four, five or six years under the Tories, when the Tories bring in legislation that basically, fundamentally changes the way we do things in this province, so that you can really see the point that this Legislature doesn't work.

What you have in this House is a government that's intent on changing the fabric of post-secondary education, and they're not about to relent for two seconds on any point because, you know what? These guys woke up one morning and they said they were geniuses and everybody out there is stupid: "Nobody else has got an opinion. Post-secondary education is something that should be sought after in the private sector, and the rest of you are a bunch of bozos."

I say to you, shame. This Legislature is supposed to work for the people of this province. It's not supposed to be working for Mike Harris and people like you, Mr Wettlaufer, and other people in this Legislature from whom I heard some things said here tonight that I find, quite frankly, regrettable. The debate in this House has gone to a point that I haven't seen in the 10 years that I've been here.

The reality is that what we're supposed to do in this Legislature on all sides of the House—Conservatives, Liberals and New Democrats—is to try to find ways to make institutions and laws work for the people of this province. All you want to do is make it work for your ideology, and I think that's wrong. Yes, every party has an ideology. Yes, I understand the Conservatives have a certain take on things, as Liberals do and as New Democrats do, and that's fair game. But this Legislature is supposed to work in such a way that we're able to have a respectful debate in this House, to the point that we can find ways to accommodate the views so that whatever we build in this province is not just for the people in Mike Harris's party but for all the people of the province of Ontario.

That's what offends me about what you people tend to do in this place. You come into this Legislature and you figure you know it all. You change the rules. You're undemocratic, and you forget what your very mission is of being elected as representatives. You demean the name of politicians and you demean this institution. Some of the comments I've heard in this House tonight, I'll tell you, are just abysmal. I'm especially going to look at the Hansard for the comments of one of the Conservative members making assertions about the married life of two members of this assembly. I think that

is despicable. Quite frankly, it shows to what point you guys over there—and mostly guys in the Conservatives—are dragging back so far that your knuckles are dragging on the ground.

Mr Speaker, I say no more, because I'm upset—

The Deputy Speaker: I was just going to remind the member that he needed to address his comments through the Speaker.

Mr Bisson: I do, but I still think they're dragging their knuckles on the ground. That's how low they are.

The Deputy Speaker: Questions and comments?

Mr Clark: Mr Speaker, I can assure the assembly that my knuckles have no calluses.

From time to time I've sat in this House and I've listened to the debate degrade to deplorable levels. I've listened to rants and raves from the NDP caucus that were far lower than anything I've heard tonight. I'm not sure what's upsetting the member over on the other side, but I think he should really question why he's making the statements that he is, because I think overall, other than a little bit of fun here tonight, the decorum in the House has not been that bad.

The question I have is, what's wrong with the bill? What is it exactly that the Liberals and the NDP have so much problem with? If private institutions wish to set up shop in Ontario and consumers wish to pay for it, then that system will flourish. If the consumers don't wish to pay for it, then it will flounder.

I'd have much more respect for the opposition's position if they were raising concerns about, "We want to make sure this happens in order for this to work successfully."

The member for St Catharines made a comment earlier tonight and talked very clearly about applied degrees. He supports that. I think there were other members on that side who support that. I see the latest member shaking his head yes, that he supports that.

The member from Timiskaming—what's the compromise? If you're saying on that side that this House isn't working, I have not heard—and I ask my colleagues on this side, have you heard any compromises offered from the other side? I've heard a lot of rants, I've heard a lot of diatribe, but I have not heard any compromises. So you can't suck and blow. If you want to talk about compromise, then offer one.

2110

Mr Parsons: The issue isn't that the Liberals or the NDP oppose post-secondary education; it's the reality that the product this government wants to put on the market is not a product that's accessible to everyone in this province. The publicly funded universities now, the publicly funded colleges, have fewer and fewer low-income students able to partake and to graduate.

Now, one doesn't have to go to college or university to be a success in Ontario. All kinds of individuals have flourished without it. But the reality in statistics tells us that given the high demands of our technology world, the chances of being successful, the chances of having greater income, are clearly tied to post-secondary. If we

look at the companies that are flourishing—with the exception of the little blip of Nortel on the stock market in the past few days—the high-technology companies are absolutely craving employees, are bringing employees in from offshore.

We should be doing everything in our power in this province to make the education system accessible to everyone. As we watch the marked drop in students from families making less than \$40,000, the answer is not to bring in a competitive system that will bleed students, will bleed faculty and will bleed public money away from the public system.

The public benefits from public education. Certainly the students individually do. But collectively, this province and this country will thrive if we can attract employers from outside the country, if we can provide employers, for citizens of this province, who want to start firms. We need to make it open to everyone. Because a student doesn't have money doesn't preclude the fact that they could be a tremendous employee.

Mr Wettlaufer: I'd like to point out that not all universities will be privatized. To think that the University of Toronto or the University of Western Ontario or the University of Waterloo or Wilfrid Laurier University or McMaster University could not compete—

Interjection.

Mr Wettlaufer: As a matter of fact, I say to the member from Prince Edward-Hastings, yes, some of them do. The University of Waterloo has said that they can compete.

What I want to say is that any one of these fine public institutions can compete with the private universities. However, we have to face reality. Education is changing, just like everything else, and there will be some students who want the courses offered in a private institution. Why, for instance, are 7,700 students from Ontario going to private universities in the United States? It's because they want what is offered at those private institutions. Why are there 10,000 courses being offered on the Internet that students can take? If nobody was taking them, they wouldn't be offered. The same is true of a private university. If nobody will take the courses offered at those private institutions, then they won't be there.

We are not guaranteeing any funding. We are not going to provide any initiative whatever that a public institution would become a private institution. The Smith panel—you guys know what the Smith panel is—recommended private institutions. What would ever cause the Smith panel to recognize private institutions if it wasn't a good idea?

Mr Sergio: My compliments to the member for Timmins-James Bay for a wonderful presentation on Bill 132. Let me briefly say that the bill really tries to accomplish two particular things. One is changing the names of the degree, and the other is to allow private institutions, mainly from the States, to come into Ontario and set up shop. The bill as it is now does not preclude channelling funding from the people of Ontario, public

funding, into those private universities and colleges. It's right in the bill.

I'm surprised that the members from the government continue to say, "Look, if they come and they don't like it, they will fail." There is quite a bit of a difference. It's one thing to say, "Build a house and somebody will come and buy it," but it's another when you say, "Come and set up shop here," because our people, our real people, won't be able to afford it. Where are these people?

Let me say this: this bill does two very particular things. They speak about choices, giving them a choice, but they are removing the opportunity from the people of Ontario and they are negating those people that can't afford it that real choice. The other one is competition. The people of Ontario cannot compete with those universities and those post-secondary institutions. Our people can't afford it today because of the deregulation of the tuition fees endorsed by this particular government. That is why, and they fail to recognize and protect exactly that.

The Deputy Speaker: Response?

Mr Bisson: I heard the comments from across the way, "The sky is falling, the sky is falling," and to a certain extent the sky is getting a lot lower. The reality is that if we open the door to the idea of allowing private sector institutions to come in and compete against public sector institutions like universities, it's the thin edge of the wedge. You get people used to that idea. The government argues on the other side, "What's wrong if people want to pay more to get a private education? Why shouldn't we allow them to do that?" The next thing we're going to argue is that maybe we should allow private sector health care and allow people to get ahead on waiting lists if they're willing to take out their wallets and take out their Amex gold cards and pay for a little bit of extra service. What's wrong with Mr Eaton or Mr Harris or anybody else who's got money asking for a little bit of privilege in our public health care system?

What we should be doing in this House is trying to figure out a way to make our public institutions work for the people of this province. We should not be concerning ourselves with trying to create a system that says that if you are from one class of society you get the Cadillac system, and if you're from the other class of society you get the poor system. That's exactly where these guys are trying to take us. I thought in this province, I thought in this country, that Canada had a vision that was different than that of the United States and a few other countries that I think are on the wrong track when it comes to providing services. These guys are about changing the very vision of what this country is all about and what this province is about.

That's what offends me about what you guys are doing. You don't have any regard for what this country is about. You have no regard for what public institutions are about. You're opening the door to allow for-profit private sector operators to come in and operate our public institutions, and at the end of the day those with the bucks are going to do well and those without the bucks

are going to do badly. You just have to take a look at the United States to see how well that bloody system works.

The Deputy Speaker: Further debate?

Mr Clark: Listening to the debate this evening, you'd have to wonder. I guess there are no private universities in Ontario today.

I look in Hamilton-Wentworth and we have Redeemer University College, a private college, a private university. The member continually—

Interjections.

Interjection: Tell me what they do with the profit.

Mr Clark: They put it back into the university.

Interjections.

The Deputy Speaker: The House needs to take a deep breath. I'm now seeing government members heckle government speakers. It's going a little bit overboard. We only have about eight minutes left. The member for Stoney Creek can take us home.

Mr Clark: Thank you, Mr Speaker. I truly do thank you for that respect.

This new law that we're talking about is a milestone for college students. It represents the culmination of years of dedicated commitment to a vision that was set out back in the 1960s. We begin moving forward. At that time, the government of the day set a clear vision for change. From that vision, a whole new—

Interjection.

2120

The Deputy Speaker: The member is not in his seat.

Mr Clark: True, the member should be in his seat if he wants to heckle. He does it so well.

That whole new era of educational opportunities was opened up for students. Expanding on the strong academic traditions of our universities, the government launched Ontario on a bold and new experiment in learning through the creation of colleges of applied arts and technology. If you think back, what would the opposition have been saying then?

Interjections.

Mr Clark: The Liberals probably had a little bit more enlightenment than the member for Don Valley East, because he clearly opposes everything that we propose.

There is no question that what began as a bold experiment has matured into a highly sophisticated network of learning institutions. No one disputes that. So now we're moving forward. We're moving forward in learning in a system, A Road Map to Prosperity, that calls for strengthening of these linkages and a greater degree of specialization of college programs to support regional economic prosperity.

Interjections.

Mr Clark: Listening to all the barracking—and I know the people at home can't hear it. There's about a half-dozen Liberals here making a great deal of noise. On that side of the House they don't support economic growth, they don't support choice, because they know what's right.

I've spoken for some time now—there's a syndrome; I call it the Brussels sprouts syndrome. If you listen to the

opposition, they know what's best for the people of Ontario. How dare the government bring in free choice? How dare they bring in private institutions? Because they know what's best for the people of Ontario. They're far more enlightened than the government. They're far more enlightened than the students. They're far more enlightened than the 7,000 students who are taking university education in the US, as my friend Wayne Wettlaufer mentioned. The members on the opposite side would have us believe that they would rather have the 7,000 students leave Ontario, take their money and export it to the US.

I have to question where the wisdom is when private universities say, "We'd like to look at setting up shop here," because there are already private universities here.

Mr David Caplan (Don Valley East): No, there aren't; just colleges.

Mr Clark: The member for Don Valley East should check his facts out, because I have a private university in my riding.

Quite clearly we're saying, let's bring them here, let's look at this.

Mr Caplan: It's a college, not a university.

Mr Clark: Redeemer University.

Interjection: He doesn't like colleges over there.

Mr Clark: Colleges are beneath him, because again he is the master of the Brussels sprouts syndrome. He knows everything: "Eat your Brussels sprouts. We know you don't like it; it's good for you." They know more than us. The reality here is that all we ever hear is political rhetoric, "The sky is falling," and that they know more than us. That's what they're telling us. You say it time and time again.

I look out to the residents in my community, the students in my community, and I say, don't you want choice? If you want to go to a private university in Ontario, shouldn't you have that right? How dare any politician say that you don't have that right. How dare you say that because you believe the sky is falling on private universities and colleges, you want to pre-empt their right, exclude their right and say, "No, you can't do this because we fear for the end of public education in Ontario." What an incredible crock, what a charade, what a façade.

It disturbs me when we're looking at this legislation that the members opposed are just that: simply opposed because they're the loyal opposition. I give credit to a couple of members over there who said, "You know what? We like this section of the bill." The member for St Catharines said that, and the member for Ancaster-Dundas-Flamborough-Aldershot, who I have a tremendous amount of respect for, also stated that he liked that section. The member for Don Valley East could learn from these other members who read the bills. Reading the bills is important.

I think it's important that we as a government recognize that we're moving forward, bringing competition. But we're also moving forward because we are now existing, working, in a globalized world, a world

with competition, a world where the children from the other countries are competing against our own children here in Ontario. We're no longer just competing against other kids in Ontario; we're competing across the country, across North America and around the world. So I ask the people who are watching at home, what is so wrong about what we're proposing? If you listen to the rhetoric, all they can say is that this will destroy the public post-secondary education system. It's completely redundant. As a matter of fact, on every other bill that's come through that they've opposed, the official members of the Chicken Little party have stated, "Whoa, the world is coming to an end if you do this. How dare you?"

We have examined the issues. We've listened to the stakeholders. We have suggested very clearly that we believe the students in Ontario have the right to make that choice. We believe the 7,000 students the member for Kitchener Centre spoke about who are going to the United States would rather stay in Ontario, while the Liberals would have them leave and spend their money abroad. We would rather have them spending their money here.

We would like to include the private universities here. We're talking about a bill that very clearly is defined with accountability, has very clear measurements for the universities so that they must perform, they must meet our standards, they must provide a good, quality education for our children in our province. That allows the choice.

The people who are listening at home should really ask their Liberal members why they're opposed to this. Why are they so afraid of allowing choice in Ontario? They simply don't understand that they shouldn't be directing choice. We believe the constituents in our communities have the right to make that choice, the right to make that decision, whereas you on that side of the House believe the constituents shouldn't have that right. We're going to stick with them.

The Deputy Speaker: Mercifully it's 9:30 of the clock. This House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2129.

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Publications



No. 98A

N° 98A

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 31 October 2000

Mardi 31 octobre 2000

Speaker
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 31 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 31 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

INTERNATIONAL ADOPTIONS

Mr Joseph Cordiano (York South-Weston): On September 28, I presented a private member's bill to revoke the \$925 head tax this government has imposed on international orphans. The Legislature spoke and it passed my bill and gave the Minister of Community and Social Services a clear message that in the eyes of this assembly the tax is unjustified and unacceptable.

The minister has tried to argue that the \$925 head tax is a fee for service. But where is the service? The tax is imposed only on adoptions that are finalized in foreign jurisdictions, and not on adoptions that are finalized in our jurisdiction, here in Ontario. In other words, the foreign jurisdictions are doing all the work and the Ontario government collects the fee for work that's done in a foreign jurisdiction. This is completely unjustified. In addition to that, the agencies that facilitate inter-country adoptions also pay annual licensing fees.

I ask the minister: where are all the costs coming from which he says they're incurring? They're simply not there. It's time for the minister to stand up and revoke this hideous head tax and explain to the people of this province that this was entirely a mistake. Do the right thing: revoke the tax.

THOMAS BAKER MEMORIAL JAMBOREE

Mr Bert Johnson (Perth-Middlesex): This past Saturday, the first annual Thomas Baker Memorial Jamboree was held in my riding at the Elma Memorial Community Centre in Atwood. Thomas Baker suffered from respiratory problems all his life and died in 1995 at the age of 23. Thomas had always hoped that doctors could learn more about lung disease from his condition and that events could be held locally to raise money for research.

To help celebrate Thomas's life and raise funds for the Lung Association, Thomas's brother Larry decided to organize an annual event. This year's jamboree featured a silent auction, a raffle, a magic show, pony rides and music by children's entertainer Paul French. Other musicians performed, including western star Randy Satchell,

Megan Morrison, Bill Murray and the Moonlighters, and Jackie Lynn Baker.

Four hundred people attended the jamboree, and over \$750 was raised for the Huron-Perth Lung Association.

I applaud the efforts of Larry Baker for organizing this jamboree and for fulfilling his brother's dream of having a fun and music-filled event to raise money for research into lung disease. The success of this jamboree is also a tribute to the individuals and businesses in Perth County who helped make the event a great success.

Please join me in recognizing Larry Baker and others for their efforts in organizing the first annual Thomas Baker Memorial Jamboree in support of lung disease research.

2000 PARALYMPICS

Mr Ernie Parsons (Prince Edward-Hastings): I rise today to congratulate the participants in the 2000 Paralympics, which were just completed in Sydney, Australia. This country won 96 medals, 38 of them gold. Fifty-two of the participants were from Ontario, and they won 33 medals, all this in spite of the barriers this province continues to put in their own personal lives.

The 2004 Olympics are to take place in Greece. Unfortunately, it appears the Paralympics can't be there because they are not barrier-free. Wouldn't it have been great if Toronto had been in a position to bid for the Paralympics then?

If the promise to pass the legislation had not been broken, we'd have been well on our way to having a barrier-free city. If Toronto is to win the 2008 Olympics bid, it is essential that Toronto be barrier-free—absolutely essential. And yet, the Ontarians with disabilities act has still not been passed. By enacting the legislation, this government had the opportunity to show the entire world that we are world leaders, that we treat our citizens in first-class, world style.

The Premier, by his inaction and broken promise, is preventing all the citizens in Ontario from benefiting from the gifts and the talents and the productivity of our Ontarians with disabilities.

Premier, you failed to pass the Ontarians with disabilities act in your first term, as promised. I call upon you now to pass this legislation in your last term.

TELETECH

Mr Frank Mazzilli (London-Fanshawe): As we close the month of October, our government closes the

end of Small Business Month. With that, I rise today to talk of a success story. On Thursday, October 26 of this year, I attended the opening of the new London TeleTech facility. TeleTech Holdings Inc, headquartered in Denver, Colorado, announced in April of this year that they would be locating their new call centre in the Galleria shopping mall in London. Last week, that announcement became a reality as I joined executive directors in the opening of its doors. TeleTech is a leading provider of customer interaction management solutions, and the London call centre joins 43 other facilities of its kind in the Americas, Europe and the Asian Pacific.

I assure you that it is with great enthusiasm that Londoners welcome this new facility. TeleTech replaces the vacant Eatons store and has become a permanent fixture in London's downtown core. Not only is the new TeleTech facility a wonderful addition to the downtown, but it has created 800 jobs.

I want to thank Tara Belanger, the first employee that TeleTech hired; Ron Charma, the London operations director; Joe Hawlick and John Kime, from the business development community in London; David Hall and John Dennis from Galleria London; members of city council, including Mayor Dianne Haskett; and Kevin Kavanagh, director of operations for the Denver-based company.

Setting the conditions for business to prosper in this province is something that premier Mike Harris and our government have always done and will continue to do.

NICHOLAS BROCKZKOWSKI

Mr Mario Sergio (York West): It gives me great pleasure to share with members of the Legislature a good news story. On October 24, Nicholas Broczkowski was an honoured recipient of the 2000 Harry Jerome Scholarship Award sponsored by the Black Business and Professional Association. In a Toronto Star article the next day captioned "Jane-Finch Teen Never Gave Up," Nicholas Broczkowski used this analogy in describing growing up in the Jane and Finch community: "It's like one crab trying to climb up while the others in the bucket are trying to pull you down."

In receiving the Harry Jerome scholarship, we know that not only did he manage to escape the bucket, but that in doing so he certainly achieved great goals. Now that Nicholas is pursuing kinesiology studies at York University, he describes his biggest achievement as "being a good example for his younger sister to look up to."

I know all members of this House will support me in saying to Nicholas that not only is he an excellent role model for his sister but he is a great mentor for all the youth in the Jane and Finch community who are working hard to beat the odds and climb to success and the realization of their dreams.

Mr Speaker, please join me in extending sincere congratulations to Nicholas Broczkowski and to his mother, Yasmin Maharaj, for nurturing his dreams. Everyone in the Jane and Finch community is proud. You didn't let

the other crabs pull you back into the bucket. You chose to do what was right and you are now well on your way. One might say you are now king crab.

PRIVATE UNIVERSITIES

Mr Rosario Marchese (Trinity-Spadina): I want to speak against Bill 132, the private university legislation. We are about to get time allocation on that bill, which means we are not going to have the usual appropriate scrutiny on the bill. It is the so-called Post-secondary Education Choice and Excellence Act, the act that I say nobody wants.

Who wants it? Is it the students who want it? Is it the professors who want it? Is it the institutions that are clamouring for it? Is it the public that's driving this issue? No. It is the Conservative government driving it, the lobbyists for private universities, the barons from Bay Street who really want it and need it. No one else wants it.

And yet this government wants to talk to us about choice. Who is getting this choice? Who's going to get it except the people who can afford \$40,000 a year in tuition fees? Is that choice for the regular taxpayer in Ontario? It's not a choice for most of the people I represent or most of the people our party represents.

The government says it's going to create an extra 1,000, possibly 2,000 spaces, but we need 190,000 spaces by the end of the decade. This will hardly fill the hole. If you want to fill the hole, to build capacity, why don't we strengthen our public university system instead of giving it away to the barons from Bay Street?

Let's not sell our public education system and let's not commodify it so that someone can make money out of our education system. We've got to fight back and I'm urging you to do that.

1340

COMMUNITY SAFETY

Ms Marilyn Mushinski (Scarborough Centre): Last week the Liberal member from Windsor-St Clair, Dwight Duncan, stood in this chamber and accused me of grandstanding on criminal justice and sentencing issues. I was offended.

Since I came into this House, I have been a strong advocate for victims of crime, and in particular for the victims of Karla Homolka and Paul Bernardo. It must never be forgotten that Paul Bernardo attained notoriety as the Scarborough rapist long before he and Karla Homolka murdered Kristen French and Leslie Mahaffy. Since 1995 I have been trying, without success, to persuade the federal Liberal government to act so that the residents of my riding, several of whom became victims of Bernardo, can feel safe in their own community.

Last year I presented a petition to this House, a petition signed by 4,000 Scarborough residents, that called upon the federal government to act so that they could feel safe in their own community. So far the federal Liberal government has done nothing.

Late last year I wrote to John Cannis, my federal Liberal counterpart, asking him to take a stand. I asked him to eliminate the "discount" law. I asked him to eliminate the "faint hope" clause. I asked him to follow Ontario's lead and start a national sex offender registry.

This is not grandstanding. I'm doing my job. When is the federal Liberal government going to do theirs, or is the leader of the Liberal opposition simply not up to the job?

HEALTH CARE REFORM

Mr James J. Bradley (St Catharines): Our national health care system, of which Canadians are justifiably proud and which has ensured that the quality of health care one receives is based upon that person's medical needs and not upon his or her financial resources, is under attack and in danger of being scrapped in favour of an American-style two-tier system where the rich are able to buy a place at the front of the line.

The proponents of the two-tier system like to characterize it as one which provides choice, but that choice is available only to the wealthiest in our society. We need only look south of the border to see a health care system where the services provided to people are dependent upon their ability to pay and where hundreds of thousands have lost their life savings to pay for essential medical care for their families.

Reform Alliance campaign co-chair Jason Kenney has let the cat out of the bag by advocating the kind of American-style privatization of health care he supported in Alberta when he told the Calgary Herald, "I do support the idea of private health care."

A two-tier system would siphon off critical resources and permit top physicians and nurses to abandon the public system for the more financially lucrative private system. Too many Canadians of all political stripes have fought too hard to establish and maintain a public, non-profit, universal, portable, accessible and comprehensive health care system to lose it to those who advocate one level of service for the rich and one for the rest.

Premier Harris, who claims to be neutral in the federal election campaign, and who said he would criticize any party whose policies would hurt Ontarians, should renounce the abandonment of medicare by the Stockwell Day Alliance.

DIALYSIS

Mr Ted Arnott (Waterloo-Wellington): With thanks to the Minister of Health, I wish to inform the House that kidney dialysis patients in Waterloo-Wellington will soon have more services available to them closer to home.

Flowing from the minister's recent announcement of new funding for dialysis services, I'm pleased to report that the Grand River Hospital in Kitchener will receive over \$2 million to buy 15 new machines that will treat 90

more patients each year. They will also receive \$400,000 a year in new operating funds.

The Grand River Hospital in Kitchener-Waterloo, working in collaboration with the Guelph General Hospital, provides dialysis services to my constituents in Wellesley township, Wilmot township, Woolwich township, the city of Kitchener and Wellington county, and so far they have treated 250 kidney patients this year.

For the most part, kidney dialysis patients require treatments just to stay alive, and over the past few years demand for this care has surged by 15% annually.

One type of care is hemodialysis which draws blood from the body and cleans it through an artificial kidney machine. It is very time-consuming, occurring three times a week for up to five hours a day, so having this service available closer to home makes a huge difference to the quality of life of these patients.

I would like to commend Mr Dennis Egan, president and CEO of the Grand River Hospital, and the dedicated medical and nursing staff, and the staff at the Guelph General Hospital for their compassionate and caring approach to providing kidney dialysis services to my constituents in Waterloo-Wellington.

MOTIONS

ORDER OF BUSINESS

Hon Frank Klees (Minister without Portfolio): Mr Speaker, I believe we have unanimous consent to move a motion without notice regarding a deferral of this afternoon's vote.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Klees: I move that, notwithstanding standing order 28(h), a deferral of this afternoon's vote on government notice of motion 69 be permitted and that, notwithstanding any deferred vote, the order for second reading of Bill 132 be permitted to be called tomorrow at orders of the day.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Mr Dave Levac (Brant): On a point of order, Mr Speaker: Yesterday in the House I asked for unanimous consent for second and third reading of Bill 107. I received enough phone calls that it prompts me to seek unanimous consent to have Bill 107, An Act to proclaim Firefighters' Memorial Day, called for second and third reading.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: Bill 6, An Act to protect Children involved in Prostitution, has received first and second reading, as you know. It has been referred to committee. In light of some very disturbing news about children being sexually

exploited and abused, I would ask for unanimous consent to have third reading at this time.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Mr Howard Hampton (Kenora-Rainy River): On a point of order, Mr Speaker: Yesterday I raised with the Attorney General the issue of the fact that neither members of this Legislature nor citizens of Ontario could get copies of the daily transcript of the public inquiry at Walkerton.

The Attorney General said he was going to get back to us on this issue. I'm asking unanimous consent for the Attorney General to inform us what is happening and what the government's policy is with respect to this issue.

The Speaker: Is there unanimous consent? I heard some noes.

Mr Hampton: On a point of order, Mr Speaker, I raised this issue under 1(b) of the standing orders, which refers to "respects the democratic rights of members ... to hold the government accountable for its policies."

Members of this Legislature debated and finally made what I believe was a unanimous decision for a full public inquiry into the events surrounding the Walkerton tragedy. We were told that it was to be a full public inquiry.

I read from the Public Inquiries Act, Section 4:

"All hearings on an inquiry are open to the public except where the commission conducting the inquiry is of the opinion that,

(a) matters involving public security may be disclosed at the hearing."

Then it lists a number of exceptions, none of which I think apply.

1350

My point of order is this: I don't think this can be called a full and open public inquiry if members of this Legislature and general members of the public cannot get a copy of the transcript and cannot see what issues are being raised and what evidence is being entered. I think this is a fundamental rule of democracy. I'm asking you, Speaker, to inquire into this and to rule on it.

The Speaker: I thank the member for the point of order. As he probably knows, it is not a point of order. However, the member will remember that yesterday the Attorney General said he would look into it. I'm sure the Attorney General will be able to give us an answer in question period or at some point in time.

Mr John Gerretsen (Kingston and the Islands): On a point of order, Mr Speaker: with the number of calls I've had to my constituency office, I would request unanimous consent for second and third readings of Bill 122, which is An Act to amend the Highway Traffic Act—

Interjection: No.

Mr Gerretsen: Please, let me finish what I'm about to say—to increase the penalties for driving with a suspended licence. This is a very important act and needs to be passed as soon as possible.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

ORAL QUESTIONS

CHILD POVERTY

Mr Dalton McGuinty (Leader of the Opposition): My question today is for the Premier. I hear you have experienced some kind of awakening with respect to the unmet needs of Ontario children and that you're going to be launching some program with great fanfare this Friday. You can understand why you are somewhat suspect, Premier, when it comes to your commitment to Ontario's children and doing everything you reasonably can to ensure they find opportunity here. You as Premier have a very special responsibility for over 300,000 children who are growing up in families that receive welfare. That puts you into a very special relationship with those over 300,000 children. If you really want to help kids get off to the best start in life, as you say you do, you need to make sure their mothers can afford to look after them.

You established welfare rates in Ontario back in 1995. Since that time, rents have gone up, the cost of food has gone up and the cost of clothing has gone up, as have many other things. So I ask you, Premier, will you do the right thing for our kids and build a cost-of-living adjustment into your social assistance payments?

Hon Michael D. Harris (Premier): Certainly one of the things we on this side of the House are very proud of is that there used to be 500,000 or 600,000 children dependent on welfare, and now there are only 300,000. One of the things we have the greatest regret about is that there are still 300,000, half as many as under the Liberals and the NDP, but nonetheless 300,000 too many.

The secret to this success has been mandatory workfare; it has been an innumerable number of training programs and education programs. At the same time, it has been maintaining the overall compensation somewhere 30% to 40% to 50% higher than all the other provinces. We accomplished that by reducing the government portion by some 21%, still 15% higher than the rest of the provinces on average, and at the same time increasing the portion that can be earned back with our assistance and the community's assistance. So overall there have been no reductions, providing people have been able-bodied—

The Speaker (Hon Gary Carr): Order. The Premier's time is up.

Mr McGuinty: Premier, I guess I shouldn't be surprised by that answer. You just can't do it. You can't speak with sincerity or conviction or genuine interest in Ontario's children, particularly those who are growing up in poverty. You have a very special relationship with those 300,000 whose parents receive welfare. For the past five years their incomes have been fixed, whereas

their costs have been increasing, in many cases dramatically.

Let me give you a specific. If you are a single mother today in Ontario and you have two children, you receive \$1,288 a month. In Toronto your average rent for a two-bedroom apartment is \$920; in many cases, it's \$200 more than that. That means you have left at the end of the month somewhere between \$150 and \$350 for food, clothing, school supplies and the like. Don't you think it makes sense, don't you think it's in the interests of our children, those 300,000 whose parents receive welfare, that we put in a COLA clause when it comes to their social assistance payment?

Hon Mr Harris: Let me respond as well to some of the information that I think perhaps is a fundamental belief of policies you brought in without COLA clauses to create dependence. Perhaps there was no worse offender than the Liberal government between 1985 and 1990, with an economy growing, and the numbers of people, the numbers of children dependent upon welfare increased dramatically. Perhaps history, when it looks back, will say that was the biggest failure of the Liberal administration from 1985 to 1990.

Nonetheless, when we inherited this disastrous mess of creating dependence among children and families, we took a different philosophy and a different approach, one of breaking dependence, one of the dignity of a job, one of the value of work.

The Speaker: Order. The Premier take his seat, please. Stop the clock. I see that some of the members have some score cards in here. Unfortunately, it is not the Olympics and they are props. Since it's not the Olympics, I would ask that the members not use them. I see they're on the desk. I'm sure all the members are honourable and won't put them up. I should warn members, if I do see them up, I will have to have the Sergeant-at-Arms to confiscate them, so I would ask all of the members' cooperation.

Sorry for the interruption, Premier.

Hon Frank Klees (Minister without Portfolio): On a point of order, Speaker: I wonder if you could be so kind as to give us an explanation as to why you ordered the clock to be stopped when in fact it was the Liberals—

The Speaker: I thank the chief government whip. You should know that I regulate the time in here, and when we do that it ensures your members get more questions on. In fact, yesterday we got down to 15 to 16 questions, and it is my intention to get all members. Sometimes the cabinet ministers may not want some of the questions, but it ensures that your backbenchers get the questions, just as the third party does as well. It's my intention to get as many questions on here and to not have a situation where we spend more time doing points of order. It is question period.

The Premier.

Hon Mr Harris: There clearly is a philosophical difference, one that tends to create dependence and another that tends to help give the dignity of a job. To date, our programs have got 240,492 children off of

welfare. This is one of the greatest success stories in welfare in North America.

We have of course provided a myriad of new programs: new nutrition programs for those children—

The Speaker: Order. The Premier's time is up.

Mr McGuinty: If we ever needed any confirmation that when it comes to kids this Premier is not in any way, shape or form for opportunity for kids, he's all about photo opportunities for himself. That's what this affair on Friday is going to be. That's what the speech at the board of trade was all about.

I asked him about 300,000 children growing up in families on welfare, and he talked to me about dependence. Well, you're damn right children happen to be dependent, and there's nothing wrong whatsoever with us acknowledging that, admitting to it, and acting in a responsible way.

Interjections.

The Speaker: Stop the clock, please. Order. I need to hear the question. Sorry for the interruption. Leader of the official opposition.

Mr McGuinty: Again, Premier, you have special responsibility for over 300,000 children who find themselves in families today in Ontario who are reliant on welfare. That's what I want you to speak to right now when I sit down. When you look at the big picture, 42% of the food bank users in Ontario happen to be children. When you look at our homeless population, the fastest growing segment is young families with children.

You tell us, you make fine speeches these days about the need to help children to get off to a healthy start in life. You say you're committed. You say you are genuine. You are maintaining that you are sincere. You want to go to the private sector now and enlist them in this cause. Well, it seems to me that you'd better put your money where your mouth is, Premier. If you want to get the private sector to buy into this, then I think, at minimum, what you should be saying is that you're going to provide a cost-of-living allowance increase to all of our families who find themselves on social assistance.

1400

Hon Mr Harris: Let me give you what we do on the government side. Here, for example, is the average of the other provinces for a sole-support parent with a child under 12: \$826. Ontario's cash portion is \$957; earn-back, \$275; winter clothing and back-to-school allowances, \$15; GST credit, \$42; provincial property and sales tax credit, \$31; child tax benefit, \$110, for a total of \$1,430. Average of the other provinces: \$826.

We are, in that case, over \$600 higher than the other provinces. On the other hand, we acknowledge that it's still not enough. That is why we are still looking for more programs and new ways to help people on welfare who are able-bodied to help themselves. Indeed the program we're going to launch on Friday—I gather you said this to my speech on October 5 to the board of trade: "The Premier delivered a very eloquent"—

The Speaker: Order. I'm afraid the Premier's time is up.

PARENTAL LEAVE

Mr Dalton McGuinty (Leader of the Opposition): Premier, I'm not looking for eloquence in your speeches; I'm looking for the eloquence of action, which is nowhere to be found when it comes to your commitment to Ontario children.

I want to test you once again when it comes to your commitment to Ontario children and to making sure they get off to a healthy start. In particular, I want to talk to you about the nurturing you've talked about in the past that it is so important our newborns receive.

The federal government has changed the law so that parental leave is going to be extended now from 25 to 50 weeks. In Ontario we've got a law on the books that says you can't have more than 35 weeks of parental leave. This means that if somebody in Ontario were to try to avail themselves of the new opportunities through the federal law and stay home for 50 weeks because they're committed to being there for their child, they would not be able to do so after 35 weeks. I'm just wondering, on behalf of all those parents who are looking to you in this matter, since the federal changes take effect December 31 of this year, will you commit here and now to ensuring that Ontario law is changed before this House rises for the Christmas recess?

Hon Michael D. Harris (Premier): Let me say I'm delighted to hear the leader of the official opposition and the Liberal Party talk about testing, because you voted against every measure we brought in to test our teachers, to test our kids, to bring tests so we can see where things are going. Even though he's now talking about testing me, at least the word "test" has passed his lips, and this is a great improvement. I think we're getting somewhere.

Second, the program from the federal government that you mention, which kicks in next year, is one we are taking a look at. It is most unfortunate that with a \$20-billion or \$30-billion EI surplus, the federal government didn't put one red cent behind this. They've got all this excess money in the EI account and all they could say was that you could stay home an extra 17 weeks without pay. Would that, if they were really serious, they would take a look at that massive EI—

The Speaker (Hon Gary Carr): Order. The Premier's time is up.

Mr McGuinty: We'll try again, Premier, and see if you might answer this time. In the speech you delivered to the Toronto board of trade on October 5, one of the things you said was, "There are still young children who go to school every morning unprepared to learn. They are hungry for adequate nourishment." But apparently you're not prepared to do anything to help ensure that social assistance families are getting a bit more money.

It says as well, "They are hungry for the nurturing and guidance that they could receive in a happy home." There are a number of parents who would like to take the year off, the full 50 weeks off, to spend the time with their newborn. They can't do that in Ontario because of a law

that says you can only get up to 35 weeks. The federal government has extended it at their end to 50 weeks.

I just need a yes or no answer from you: do you intend to extend it here in Ontario so that parents can access 50 weeks of parental leave according to the law?

Hon Mr Harris: I did respond to the question. I said it is something we are looking at. It is something the federal government announced that they plan to have in effect next year. I also indicated, when I was asked this by the media this morning, that we are getting lots of requests for lots of programs, lots of money and lots of new initiatives, and obviously we are trying to prioritize those before we come in with any new programs we may be able to fund.

If this is your absolute, number one, top priority, I appreciate getting that advice, and it is something we will take a look at. By the same token, all the federal government, which controls employment insurance with a massive surplus, did as was said, "Others, you do this and we'll do it for our portion for the 17 weeks without pay"—

The Speaker: Order. The Premier's time is up. Final supplementary?

Mr McGuinty: Premier, I don't understand your hesitation on this matter. It's very simple, it's very direct and it doesn't cost the province any money. It's simply a matter of saying to Ontario parents who are trying to make plans for the coming year whether or not they will be able to stay home for 50 weeks.

You said in your speeches that you're committed to making sure that kids get a healthy start in life. You said you want to make sure they have the necessary nurturing, particularly in the home. So I'm asking you again, Premier, what stands in the way of your telling us here and now that you intend to go along with this federal initiative? Why is it that you cannot live up to your mouthed commitments to children? Why can't you just stand up and say, "Yes, this is in the interests of Ontario children; yes, this is in the interests of Ontario parents"?

Hon Mr Harris: I appreciate that one day you're for this, the next day for that, and you'll have 50 different individual top priorities. That's the Ontario Liberal way: "One for all, all for one. We're for everything. Got a good program? We're for you." That's why we ended up with a massive deficit. That's why we ended up with a government trying to be all things to all people.

Rather than immediately parallel a federal program—by the way, many women's groups in particular have said it is a disgrace they didn't back it up with some of that EI surplus if they really were committed. Certainly today many women do work out periods of time longer than 35 weeks, some even longer than a year. But you want me today to commit to ordering that the top priority for women who are going to have children is that we order their employers, without pay, without the federal EI money, for 50 weeks. I'd actually like to consult with them first.

1410

CONFIDENTIAL INFORMATION

Mr Howard Hampton (Kenora-Rainy River): My question is to the Premier. Why does the Premier continue to block attempts to uncover the truth about the killing of Dudley George?

I asked the human rights commissioner whether your failure to call a public inquiry into this matter violates the Human Rights Code. Chief Commissioner Keith Norton's answer to me is that there is an arguable case. What's stopping him from beginning an investigation is that he doesn't have the power to compel you to give evidence or to produce the documents.

Premier, would you do the right thing? Would you give the human rights commissioner the power in this case to require production of the documents and to compel oral evidence?

Hon Michael D. Harris (Premier): No.

Mr Hampton: I find the Premier's answer interesting and contradictory, because not four years ago—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Order. Sorry for the interruption. Leader of the third party.

Mr Hampton: Speaker, not four years ago the then Minister of Health was accused of releasing confidential health information, and you stood in this Legislature and said the Information and Privacy Commissioner ought to be granted the powers to force the production of documents and to compel civil servants to give evidence. That was over the confidentiality of health records. This is in regard to the death of a person, the death of an aboriginal man. The human rights commissioner is saying there is an arguable case that your government is in breach of the Human Rights Code, but he lacks the same powers the privacy commissioner lacked.

So I'm asking you, Premier, to do, in respect to the human rights commissioner, what you did with the privacy commissioner. We're dealing with a serious issue, the death of a man, and I'm asking you to give the human rights commissioner the power to compel the production of evidence. Will you do that?

The Speaker: Stop the clock. The Minister of Energy on a point of order.

Hon Jim Wilson (Minister of Energy, Science and Technology): Speaker, just to clarify for the honourable member, I was never accused of anything. It was a member of my staff—

The Speaker: It's not a point of order.

Final supplementary?

Mr Gilles Bisson (Timmins-James Bay): Premier, the problem here is that you're inconsistent in your approach. On one hand you're prepared to give the privacy commissioner the ability to do the job; you've given the ability to subpoena. But when it comes to trying to find out what happened to somebody who was killed in this province, you're not prepared to be consistent and

you're not prepared to bring justice to the George family. I'm going to put it to you very straight, Premier, and I tell you I'm very offended by the laughter from your caucus when this issue is raised. At the end of the day, a person died and you're stymieing the process to find what happened.

Very simply, Premier, I ask you, why is it that you're inconsistent, that on one hand you're prepared to give the powers of subpoena to the privacy commissioner, but once the human rights commissioner says they don't have the power to do that, you're unwilling to do it? Why?

Hon Mr Harris: Let me be very clear: my caucus was laughing at your leader—justifiably, I might add. That is what they were laughing at: the inconsistency of your leader, the silliness of your leader and the silly allegations you're making about one of our members and a minister of the crown—actually something despicable, I would say. But nonetheless, since you support your leader in all these actions, that's what we were laughing at.

Secondly, the full production of documents can be complied with in many ways: first of all, the courts. Secondly, nobody said no to an inquiry following the cases that are there. Thirdly, all the documents are being produced and they're all being advanced without the human rights commissioner and without an inquiry. They are being advanced at the request of the courts as a matter of a civil lawsuit. So there is no need to extend further powers to have some other body do exactly what we are already doing and complying with. That's why you're so silly.

EMERGENCY SERVICES

Mr Howard Hampton (Kenora-Rainy River): My question is also for the Premier—and I say there is nothing silly about a man dying and us wanting to get to the bottom of what happened.

Premier, I want to ask you about the daily problems in emergency rooms in our hospitals, and I want to ask you to become involved because we get conflicting information from the Minister of Health. Last week I asked her to do the right thing and reopen the Wellesley Hospital emergency room. She said that 23,000 more people would be seen in the new St Michael's emergency ward to make up for the closure. But yesterday she admitted to reporters that there is no increase in capacity, that her information was incorrect.

Premier, yesterday 80% of the hospitals in the greater Toronto area were turning away ambulances, just like last Wednesday and last Thursday and the week before. Your minister refuses to acknowledge that there's a problem here. There's a big problem here, and it's going to get worse in the flu season. Will you get involved and ensure this crisis doesn't develop any more than it has already?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I think the leader of the third party is fully aware of the fact that we have identified this as an issue of concern. In fact, it is an issue of concern to all

governments coast to coast in Canada. Every year in the last number of years, whether you're in British Columbia or in Quebec or elsewhere, there have been tremendous pressures in emergency rooms, and I believe each and every government is attempting to do everything possible, just as we are.

As the member knows, we are expanding the capacity in the emergency rooms. There are new emergency rooms under construction and being renovated. We are introducing this year, for the first time in all of North America, a free flu vaccine in order to reduce the number of people who will need to access emergency rooms.

The Speaker (Hon Gary Carr): Supplementary.

Ms Frances Lankin (Beaches-East York): Minister, since February 1998 you've been promising, and I quote you in your press releases, "immediate steps" to correct this problem, this crisis. Last August you said you were going to build on the "success" of your 10-point plan in Toronto. What success, Minister? Day after day after day we're seeing 80% of hospitals on redirect. The announcements you've made have panned out to be absolutely nothing in terms of affecting the issue in our emergency rooms, and the root cause of it is that you've closed hospital beds.

You were wrong on your issue of capacity. You were wrong when you said to me in this House day after day that the problem was because there is an increase in patients. You have the numbers. You know that the number of patients is flatlined. You continue to provide incorrect information, and the problem continues to get worse.

Why should we believe anything you say? What are you going to do to make sure lives aren't at risk in emergency rooms of the GTA?

Hon Mrs Witmer: Our government is very committed, as I know are all governments across Canada, to improving and relieving the emergency room pressure. Unfortunately, the member has not recognized the tremendous steps that have been taken since 1998, when we set up the emergency room task force to identify what needed to be done.

I will tell you that all of the measures that have been undertaken have been done in consultation with and on the advice of our hospitals, our ambulance sector and our health care professionals such as our doctors and nurses. I'm also very pleased to say that those within the system have indicated that there are improvements. There is better coordination, and great strides have been taken.

That doesn't, of course, take into consideration the fact that the population continues to grow and age, but I can assure the member that as we continue to build new long-term-care beds, expand—

The Speaker: Order. I'm afraid the minister's time is up. New question.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. Minister, we

have here a letter that you have apparently written to the school boards and some other education entities in Ontario. In it, you seem to be finally admitting that there might be a problem with extracurricular. It's 56 days into the school year. Last March you cancelled extracurricular activities with your Bill 74. All over the province there are these difficulties. You have written a letter and you have asked the boards to tell you whether there are any extracurricular problems.

Minister, you've got your head partly out of the sand. What I want to know on behalf of Ontario students today is, will you admit that your actions are primarily responsible for cancelling extracurricular activities and that you will start today to do something positive—not the negative hammer that you told parents you would be using, but something positive—to solve the problem, to actually fix the problem and put these back in the schools? Will you tell us today that you will finally get around to doing that?

Hon Janet Ecker (Minister of Education): Mr Speaker, you will forgive me if my jaw is on the desk. There "might" be a problem with extracurricular? Where has the honourable member been? There has been a problem with extracurricular activities where teachers have been choosing to withdraw these activities as a work-to-rule, denying students opportunities that can open abilities for them to learn better, that can open up jobs, that can open up scholarships in post-secondary institutions.

The reason we are taking, have taken and will continue to take the steps we are is because there has been a problem with extracurricular. Parents and students are quite right to be very frustrated about that. I have encouraged them to continue to express their views. We are going to make sure that in those schools where this is still a problem, steps are taken—

1420

The Speaker (Hon Gary Carr): Order. Stop the clock. The member for Windsor West, I noticed, came in a little late. I warned everybody not to use that prop. She may have missed the warning.

Mrs Sandra Pupatello (Windsor West): I won't do that any more.

The Speaker: I appreciate that.

Interjections.

The Speaker: Just so you know, the next time I see one, you're thrown out. For those who may not be here—
Interjection.

The Speaker: The member for Durham, come to order.

For somebody who may not be here and comes in, too bad. The next time I see it, you're going to be asked to leave and you're going to be named. I tried to be nice and now everybody's kidding around. It was funny in the beginning. It's no longer funny. I feel like a grade 1 teacher trying to capture contraband in here. Our time's up. Let's get on with the question. The next time I see the signs in here, you're going to be named.

Sorry for the interruption, Minister.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: Cabinet ministers have a schedule that they attempt to keep. Once again—

The Speaker: That's not a point of order.

Interjections.

The Speaker: Take your seat, chief government whip.

Interjection.

The Speaker: Member for Essex, come to order. It's his last warning.

Interjection.

The Speaker: Member for Toronto Centre-Rosedale, his last warning. Hopefully the table's keeping track of all these names. I'm losing track very quickly. Quite frankly, if we hadn't had two points of order, the cabinet ministers might have been out of here a lot more quickly.

The Minister of Education.

Hon Mrs Ecker: We said very clearly to those individuals in some of the unions who continue to use this as a tactic to protest, to try and make points in whatever fight they might have with the school board and the province, that this was not appropriate, that we were going to take steps, if it was not resolved, to resolve this. I think it's important before we take further steps that I seek the advice of and consult with our education partners, and we are taking that step.

Mr Kennedy: We can understand why the government wanted an interruption, because, alleluia, finally the Minister of Education understands there's a problem in the schools, which she has stood here time after time and denied.

Minister, the students of the province are asking you to come clean and clean up your mess. They know you're responsible. Ainsley Head, a grade 11 student at Kingston Collegiate, says, "Teachers do not have the time to supervise groups like the drama club because of the extra time they're having to spend teaching classes." Students, such as the Toronto District School Board's super council, say that the changes your government introduced were sudden and severe and affected the quality of their education in a negative way.

Minister, you've got your head partly out of the sand. You keep saying thousands of teachers are doing extracurricular. Tens of thousands of teachers can't do extracurricular because of you. Will you let teachers go back to doing extracurricular activities? Will you back off from the changes that took them away from Ontario students?

Hon Mrs Ecker: I would like to ask the honourable member, when there were students in this province who were being denied scholarships, when there were teachers in this province who against the advice of their union were going out and doing extracurricular activities and were being harassed by other teachers, being harassed by union representatives, where was the honourable member's concern for that teacher who had the courage to do what the students needed—

Interjections.

The Speaker: Minister of Education, please take her seat. Member for Kingston and the Islands, it's the last warning for him as well.

Minister of Education, sorry for the interruption.

Hon Mrs Ecker: Thank you very much, Mr Speaker.

Where was the honourable member when those things were happening to students and teachers in this province?

He says, "Change things." What change would he like to ask for, that we back off on the new curriculum, that we stop standardized testing, that we stop the teacher testing program, that we say our teachers should not be the same kind of standard—

The Speaker: Order. The minister's time is up.

HEALTH CARE REFORM

Mr R. Gary Stewart (Peterborough): My question is for the Minister of Health. Recently, Maple Leaf goaltender Curtis Joseph had an urgent MRI for his groin injury. Sports celebrities continually jump the queue with non-life-threatening injuries while seriously ill citizens are put on hold, such as cancer patients who wait two or three months for their appointments.

Can you please explain why Curtis Joseph had an urgent MRI for his groin injury? Can you please tell this House if there is a two-tier system developing in Ontario's health care?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): There is definitely not a two-tier system developing. As far as the individual who supposedly had access to an urgent MRI, I can only say that in 1992, the NDP government passed a regulation allowing for third-party usage of MRIs. Apparently this violates neither the Canada Health Act nor the Health Insurance Act. I suspect that's what explains his use of the MRI.

Mr Stewart: I'm pleased that that type of information can get out and we can know all the facts. What is this government doing to ensure that indeed we don't have a two-tier health care system?

Hon Mrs Witmer: We have increased the number of MRIs in this province quite dramatically since 1995. In 1995 there were only 12 MRIs. We are now moving toward tripling the number to 37. I'm very pleased to say that we are now developing a plan to further expand beyond the 37 MRIs in order to ensure that people in this province have access. As the member knows, one of the new MRIs is going to be up and operating in his community of Peterborough.

ENVIRONMENTAL LEGISLATION

Mr James J. Bradley (St Catharines): I have a question for the Minister of the Environment. You'll recall that two years ago your government amended the Environmental Protection Act and the Ontario Water Resources Act to institute administrative penalties which would allow your ministry to levy a fine against a company which is not complying with the mandatory reporting and record-keeping procedures which are required by law.

Your colleague and former environment minister Norm Sterling said at the time this bill was debated in the House that these penalties were "needed to bring our province in line with other jurisdictions and to deter and punish polluters and protect our environment." Remember, this was two years ago, in 1998.

Will you kindly inform the House of the total number of administrative penalties that have been applied and the amount of the administrative penalties that have been collected under that 1998 legislation passed with so much fanfare.

Hon Dan Newman (Minister of the Environment): I want to say to the member for St Catharines that the ministry is committed to maintaining and enforcing Ontario's environmental laws. Our enforcement activities are consistent with our priorities of protecting the natural environment and human health. The Ministry of the Environment has a wide variety of enforcement tools for use by ministry staff to ensure compliance. These include such measures as inspection, investigation, prosecution and the issuance of tickets and control orders.

A strong enforcement effort is the foundation of the provincial program, providing a deterrent effect which motivates compliance and provides fairness in the marketplace to ensure that non-compliant facilities do not gain an unfair competitive advantage over others.

1430

Mr Bradley: I'll help the minister out. The answer to the question is zero, none, zilch. You passed the bill in 1998—lots of fanfare, lots of tough talk. You had a provision for administrative penalties. Since 1998 you have applied none of those administrative penalties—no charges. You have collected zero in fines, despite the fanfare.

Minister, how can you possibly be taken seriously when you bring in this so-called new toughest legislation in the country when two years ago you passed a bill in this House and you have not yet prosecuted one person or collected one penny in fines? And why have you removed that particular provision from your present bill that is before the House for consideration?

Hon Mr Newman: The member opposite raises the question of the toughest environmental penalties bill. I'm glad he raises that issue because what this does is increase the maximum fine for a first-time offender in this province, should the bill be passed, from \$100,000 to \$4 million per day. It increases the maximum fine for a first conviction for a corporation from \$1 million per day to \$6 million per day. For subsequent corporate polluters, the penalty goes from a maximum of \$2 million per day to \$10 million per day.

The bill also deals with administrative monetary penalties. I think the section the member opposite is talking about deals with directors and officers of corporations. In fact, what we want to do is ensure that those penalties fall under the regulation and the legislation rather than under administrative monetary penalties.

EARLY CHILDHOOD DEVELOPMENT

Mr Frank Mazzilli (London-Fanshawe): My question is to the minister responsible for children. As you know, our Premier has shown tremendous leadership as a champion for early child development. I know that Ontario's Early Years Study is receiving a great deal of attention, not just across the province but across the country and internationally as well. What's even more exciting is that Ontario is putting the advice and recommendations of the study into action with the early years action plan.

Minister, I know one component of this plan is demonstration projects in five communities, one of which happens to be in London. Can you tell me what the projects are doing to help Ontario's children get the best start in life?

Hon Margaret Marland (Minister without Portfolio [Children]): Ontario's early years action plan really began with the foresight of one individual, our Premier. When Premier Harris commissioned the Early Years Study, he did something remarkable for all Ontario's children by helping us understand the critically important role we all play in helping our children grow, develop and succeed.

As the study recommended, we have commissioned demonstration projects in five diverse regions of the province to test different approaches to support early child development and parenting. These projects are acting as practical examples of how we can build early child development and parenting centres throughout the province, and the voluntary, charitable and business sectors together will support Ontario's children and families.

Mr Mazzilli: I know that one of the jobs of these demonstration projects is to raise public awareness of the importance of the early years in shaping our children's future. I understand that the projects are bringing partners together from the community to support this initiative. Minister, have the demonstration projects been successful in bringing the community together to support these initiatives?

Hon Mrs Marland: I am pleased to report that communities are rallying behind the demonstration projects, providing volunteer help, financial and in-kind contributions. For example, in the member's community of London, neighbourhood advisory committees are offering support and guidance. Local businesses and charities, including London Life, Beaver Foods and the Kiwanis Club, have made financial contributions. Additionally, a network of 21 neighbourhood early child development and parenting support centres has already been developed in London. The hands-on experience will be extremely valuable to other communities across the province as they move forward to develop their own local supports for children and families in their area.

I would like to commend everyone who has been involved to date, and encourage all Ontarians to get involved to help our children get the best possible start in life.

KING'S HEALTH CENTRE

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. I want to return to the issue of King's Health Centre.

Police are now saying that there could be over \$100 million in fraud. Yesterday after question period you acknowledged that there is a concern that OHIP fraud might be involved. We're hearing of other allegations of wrongdoing. We have heard that King's Health Centre was making deals with corporations to allow that company's employees to jump the queue to see physicians for OHIP-billed services. If that's the case, it's extra-billing and it's a violation, a contravention of the Canada Health Act.

Minister, if we've been hearing this, surely you've heard about it. You're responsible for the regulation of this clinic. Can you tell us what your investigations have revealed?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As you know, the government takes the issue of OHIP fraud very seriously. In fact, that was why we did set up a very dedicated fraud program unit, and I'm very pleased to say that that unit in the province of Ontario is staffed by 20 OPP officers who do nothing but conduct investigations into allegations of health system fraud. In fact, we are the only province in Canada to contract police officers dedicated to health fraud investigations.

As far as the King's Health Centre is concerned, the Metropolitan Toronto Police Service is investigating allegations of fraud in regard to the operation of the King's Health Centre. I am aware that the OPP health fraud investigation unit that we have has assigned an officer to work with the Toronto squad to deal with the matter in an effort to determine if OHIP in any way has been a victim.

Ms Lankin: But Minister, I was asking you about queue-jumping and about alleged contraventions of the Canada Health Act. That's not something that the OHIP fraud squad will be looking into.

Quite frankly, the whole *raison d'être* of the King's Health Centre is to profit from the Ontario health insurance plan. It's about fast-tracking wealthy patients to provide a deluxe service that they could pay for.

It was your shining example of entrepreneurial health care. I want to know how you could allow a clinic to come into this province ready to bilk the public of millions of dollars and not be watching the store. There are allegations of \$100 million of fraud, investor fraud and OHIP fraud. There are allegations of contravention of the Canada Health Act.

I want to know when this clinic was last inspected, and I want to know what steps you took to ensure that they weren't facilitating queue-jumping for wealthy Ontarians at the cost of the rest of us.

Hon Mrs Witmer: Again, I would indicate to the member that the allegations of fraud are taken very seriously and there is an investigation ongoing. Any

further comment would be totally inappropriate at this point in time.

HEALTH CARE REFORM

Mr George Smitherman (Toronto Centre-Rosedale): My question is to the Minister of Health. Minister, it has to do with the continuing crisis of medical care in the Toronto region that you have created.

I stood on December 21 of last year and asked you a question with respect to the then pending closure of Wellesley Central Hospital. I suggested then that a moratorium would be appropriate. Almost 10 months later, the NDP is actually on to that issue.

Instead of having a moratorium on the closing of the Wellesley and the elimination of medical services, you declared war on medical services. You moved forward not only to close that hospital but also to declare in a scrum that it was a mystery to you as to why this problem was occurring.

Madam Minister, before you make this problem even worse, will you stand in your place today and say that the closing, on March 31 of this coming year, of Women's College will be put on hold until such time as confidence is restored in the system in the Toronto region?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Well, I'll say one thing. The federal government today is spending \$1 billion less than they were in 1994-95.

Interjections.

Hon Mrs Witmer: If the members aren't interested in listening to the answer, that's OK.

Interjections.

1440

Mr Smitherman: We've seen an incredible occurrence in this Legislature, the loss of confidence in that minister, not only by the public but by her cabinet colleagues. Yesterday we saw the phenomenon of all of them, between questions, feeding her answers. We've seen wonky numbers coming from her. We've seen her declare a mystery in the crisis. Watching that minister work is like watching a car accident in slow motion.

Minister, members of your government are tripping over themselves to try and help prop you up, and confidence is in decline in the Toronto region. Why do you continue to reject good advice that's out there? Over 13,000 people last year visited Women's College Hospital for emergency medical services. Given the crisis that is clearly ensuing, will you stand in your place today and call for a moratorium on the closing of Women's College Hospital until it's demonstrated that we don't have a crisis in ER services in Toronto?

Hon Mrs Witmer: The behaviour of this individual is a little surprising. But again, maybe I should remind the member that in the past five years it would have been very helpful if they had asked the federal government to restore the \$1 billion they took away from our province.

Interjection.

The Speaker (Hon Gary Carr): Minister of Health take her seat. Member for Toronto Centre-Rosedale, I

warned you, you can't yell. I'm afraid I'm going to have to name you and ask George Smitherman to leave for the day.

Mr Smitherman was escorted from the chamber.

The Speaker: New question.

Mr Garfield Dunlop (Simcoe North): It's really interesting to hear this comment, especially when I heard the Minister of Health announce last Friday \$481-million additional funding in the province of Ontario.

CORRECTIONAL FACILITIES

Mr Garfield Dunlop (Simcoe North): My question is for the Minister of Correctional Services today.

Interjections.

The Speaker (Hon Gary Carr): Member take his seat. Stop the clock. Order. The member has the floor. Member for Simcoe North.

Mr Dunlop: My question today is for the Minister of Correctional Services. I was disturbed by the article in today's Toronto Sun. It's called "Jailhouse Rocks," and it's with respect to inmates at the Vanier Centre for Women in Brampton enjoying a Halloween party on Saturday, October 28. The reporter alleges these offenders "whooped it up at a two-hour Halloween party" while correctional workers were paid overtime to supervise this weekend-behind-bars bash. This is beginning to sound like Club Fed in Joliet, Quebec. Minister, can you confirm these allegations?

Hon Rob Sampson (Minister of Correctional Services): I thank the member for the question. I must say to him that his response to this particular issue was the same as mine, and I think it's the same as other law-abiding taxpayers in this province. I was totally outraged when I read this morning that this had happened in one of our correctional facilities at Vanier. I asked staff to look into the matter, and they've told me that this particular situation has been going on for some 20 years in this province. Frankly, that doesn't matter. That doesn't make it any better, and that doesn't make it right. We believe corrections in Ontario should be a place where people don't want to go. Jails should be places where people don't want to go, and so I have instructed that those programs and that program in particular be immediately cancelled.

Interjections.

Hon Mr Sampson: I hear from the opposition that they agree with that position, and I welcome their support as we try to make—

The Speaker: The minister's time is up. Supplementary.

Mr Dunlop: Thank you, Minister, for that response. It's comforting to know you find this occurrence just as appalling as I do.

You mentioned that this Halloween bash has been happening for the last 25 years. Will you put a stop to this once and for all, unlike the previous governments before us?

Hon Mr Sampson: Yes, I can confirm we have put a stop to this. I can also confirm that it's an indication of

what I've been saying for a number of months now, and that is the system in Ontario corrections needs to be reformed and modified. Of course the members opposite have numerous times been saying, and I think the leader of the official opposition has said that corrections in Ontario is a model for other jurisdictions to follow. I now gather they don't believe it's a model to follow. I only say to the members opposite, it's very difficult to follow your position on law and order. Certainly it would be helpful for me, and I know it would be helpful for the rest of Ontarians, if you could put your policy position down on paper and stick with it for longer than five minutes. That would be helpful for all of us to follow where you are on this particular issue.

I think we've been quite clear. We stand for victims, we stand for a tough and effective correctional system in the province, and we intend to implement—

The Speaker: The minister's time is up.

HIGHWAY SAFETY

Mr Pat Hoy (Chatham-Kent Essex): My question is to the Minister of Transportation. Earlier this month you were widely reported to have announced the long-awaited expansion of Highway 401 through Carnage Alley. This announcement was welcomed by every community in southwestern Ontario, from London all the way to Windsor, where residents must drive on a narrow, congested highway of death. Dozens of media reports cheered your announcement, but then your staff went into denial mode. The Tory spin machine was busy correcting the wrong impression you gave the trade corridors conference.

Minister, those extra lanes are needed now. Carnage Alley is about to turn into Garbage Alley. Almost 200,000 additional trucks will travel 401 annually. You must take immediate action. It will take five years to build the extra lanes. We cannot wait until 2011. Your projections don't take into account the garbage trucks nor the increased truck traffic created by the booming North American economy.

Hon Chris Stockwell (Minister of Labour): You're absolutely shameful.

The Speaker (Hon Gary Carr): Member, take a seat. Minister of Labour, this is his last warning.

Sorry for the interruption.

Mr Hoy: Your projections do not take into account the trucks that will be hauling garbage nor the increased truck traffic created by North America's booming economy. When will you recognize that public safety is at stake and build these extra lanes?

Hon David Turnbull (Minister of Transportation): Quite frankly, to the honourable member, I would say we've always known that your caucus has extremely flawed research, but this tops it all. In reference to the conference that you're speaking about, they took time out the next day to debate the fact—how can you believe the press when the report was so egregiously wrong? With respect to your local newspaper, the editorial had a story

about the incorrect information while they printed a retraction on page 16. So find out what they're doing.

Mr Hoy: I would suggest to the minister, why don't you ever just say what you do mean?

The people in southwestern Ontario don't care about your ill-founded projections. They care about public safety. They are afraid to drive the highway today. The extra lanes are needed now. My leader, Dalton McGuinty, recognized the critical problems on Carnage Alley. He has called for photo radar on Carnage Alley. He wants the money from photo radar to be used for more police. Two coroners' inquests investigating the horrific deaths have also called for photo radar. Will you take immediate action to implement photo radar to protect the public who must drive on this particular highway?

The Speaker: The member take his seat.

I'm sorry, member for York West, I did see that. You can't continue to do that. I asked the member not to do it. I saw it. I'm naming the member for York West. I'd ask you to leave, please. Stop the clock.

Mr Sergio was escorted from the chamber.

The Speaker: I believe the member was wrapping up.

Mr Hoy: Thank you, Speaker. Two coroners' inquests investigating the horrific deaths have also called for photo radar. Will you take immediate action to implement photo radar to protect the public who must use this killer highway?

Hon Mr Turnbull: I would say that our government has spent more money on our highways than any government in history. This compares very favourably with the federal government, which is spending how much on Ontario's highways this year? Nothing. How much are they spending on Ontario's highways next year? Nothing. And yet they take more than \$2 billion a year out of Ontario in gasoline taxes.

Interjections.

The Speaker: Minister, take a seat. Now we'll just let the clock wind down. There are five minutes left. If you want to fool around, we'll just let the clock wind down and nobody will get another question.

Thank you very much. The Minister of Transportation.

Hon Mr Turnbull: Indeed, aggressive driving is the most serious danger, and that is why we're addressing it through a whole series of measures. We know that tailgating, rapid lane changing, driving under the influence of alcohol and not buckling seat belts are very serious problems which are not addressed by photo radar. We believe in increasing the police presence. This is why we have done this, and we're having good effect, because Ontario roads—

The Speaker: The minister's time is up.

1450

HIGHWAY IMPROVEMENT

Mr Doug Galt (Northumberland): My question is also directed to the Minister of Transportation, now that he's warmed up. My question relates to a recent trip to la belle province. I drove along Highway 20 from Rivière-

du-Loup to the Ontario border. That stretch of highway through Quebec is extremely well maintained, with the grass well cut. Actually, it looks much like a parkway. But upon entering Ontario and driving west on the 401, I noticed a lot of weeds, long grass and unsightly brush along the shoulders of the road. The comparatively shabby look of Ontario's major highway gives the impression that our province is a poor cousin in the federation.

Minister, whether we like it or not, many of us judge a book by its cover. Therefore, when and how do you plan to improve the appearance of our provincial highways?

Hon David Turnbull (Minister of Transportation): I think the honourable member raises a very important point. Following years and years of underfunding by the two previous governments—

Interjections.

The Speaker (Hon Gary Carr): Minister, take a seat. The Minister of Transportation.

Hon Mr Turnbull:—we had to rationalize the use of mowing. Indeed, we still do it for safety reasons, for infrastructure preservation and for noxious weed control. I'm delighted to say we have reduced the use of herbicides by 85%.

The adopt-a-highway program has been very successful. Its components are collecting litter, transplanting shrubs, trees and wildflowers—

The Speaker: The minister's time is up.

Mr Galt: Thank you for that response, Minister. I did miss one thing: did you say "noxious weeds" or "noxious Liberals"?

I appreciate that this government has worked to improve our provincial highways since the lost decade, but I'm sure you'll recall that during that decade in which there was no investment—

Interjections.

The Speaker: Stop the clock. Government members, come to order, please. I know it's fun-loving and done with humour, but it is too noisy.

The member for Northumberland.

Mr Galt: I'm sure you'll recall the decade in which there was no investment in our highways, meaning the initial cause of the deterioration of our highway system. How much have you been investing recently in our highway system, and what are your future plans?

Hon Mr Turnbull: We have a record \$1-billion budget for highways this year. Just in the GTA, for example, we're investing \$200 million this year. We announced a \$75-million extension of Highway 417 in eastern Ontario. These are indicative of our commitment to infrastructure.

Do we need to do more with respect to weeds? I think we do. But our first priority was to restore the roads the two previous governments let go.

POLITICAL ACTIVITY BY POLICE OFFICERS

Mr Howard Hampton (Kenora-Rainy River): My question is for the Solicitor General. The Solicitor

General will know it is a fundamental principle of most western democracies that the military, the judiciary and the police should remain politically neutral, that because of the power they have to put people in jail and to take away people's freedom, they should not express preference for any political parties or for any political candidates.

We are told by sources within your government that you intend to change, behind closed doors, one part of that, that you intend to give the police the capacity to engage in partisan politics, that you intend to do it without any consultation with the public or any democratic debate. Would you confirm for us today, Solicitor General, that that is not the case, that you would never consider doing something like that without, first, a democratic debate and full consultation with the public of Ontario?

Hon David H. Tsubouchi (Solicitor General): First of all, let me put some context here. As you know, the city of Toronto Police Services Board had several opinions, which they forwarded to our ministry. We're examining and reviewing those opinions right now.

Interjection.

Hon Mr Tsubouchi: I hear some chirping over there. I might remind the member, here's a press release from October 3, 1991: "Solicitor General Allan Pilkey"—remember that name? You were around the cabinet table at the time—"announced today a Police Services Act regulation which defines permissible political activities for Ontario municipal police officers. He said the regulation strikes a balance of the rights of all Ontarians to receive the same high degree of impartiality and politically neutral policing services while guaranteeing the individual rights of police officers as members of the community."

Interjection.

Hon Mr Tsubouchi: You're spouting off right now about police officers being involved with elections. Sir, your member from Niagara Centre was endorsed by the Niagara police services. That's a bit of hypocrisy on your behalf.

NOTICE OF DISSATISFACTION

The Speaker (Hon Gary Carr): Before we begin petitions, pursuant to standing order 37(a), the member for Thunder Bay-Atikokan has given notice of her dissatisfaction with the answer given by the Minister of Health on Thursday concerning St Michael's emergency department. This matter will be debated today at 6 pm.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature and deals with the ongoing

discrimination against northerners. They're demanding that the Harris government eliminate the health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

Of course I am in complete agreement with this petition. I affix my signature to this 2,345-name petition.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): Mr Speaker, yesterday you may have noticed an antique car display on the front lawn. It was thanks to the vintage and restoration people, and they have sent a petition.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable Donald Turnbull as Minister of Transportation has the power to change the existing regulation"—in fact he's here today;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act" to allow licence plates of the year of manufacture "to be used on vintage automobiles."

I'm pleased to support and sign this petition.

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NATIONAL CHILD BENEFIT SUPPLEMENT

Mr John Gerretsen (Kingston and the Islands): I have a petition here from AWARE, the Action on Women's Addictions—Research and Education organization in Kingston. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario claws back the national child benefit supplement from families on social assistance,

"We, the undersigned, petition the Legislative Assembly of Ontario to stop its discriminatory practice and return the national child benefit supplement directly to its rightful recipient—the family on social assistance."

I have signed it as I am in total agreement with it, and I am handing it to Cameron, our page.

NORTHERN HEALTH TRAVEL GRANT

Mr Gilles Bisson (Timmins-James Bay): I have a petition signed by a number of people from my riding. It reads as follows:

"Petition to the Ontario Legislature

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario," who, I might add, was fired by Mike Harris, "Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I sign that petition.

RAMSEY INDUSTRIAL ROAD

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ramsey Industrial Road from Sultan to Highway 144 is used by thousands of people annually;

"Whereas the Ramsey Industrial Road is a treacherous gravel road;

"Whereas thousands of people must use this road to travel for business, medical and personal reasons;

"Whereas the economic development of the area is strangled by the lack of a paved highway;

"Whereas the communities of Manitouwadge, White River, Hornepayne, Dubreuilville and Wawa all support the efforts made by Chapleau mayor Earle J. Freeborn to have this road upgraded;

"We, the undersigned, petition the Ontario Ministry of Transportation and the Ontario government to immediately approve the paving and upgrading of the Ramsey Industrial Road to a provincial highway."

I am pleased to affix my signature.

FRAIS DE TRANSPORT
AUX FINS MÉDICALES

M. Gilles Bisson (Timmins-Baie James): I have here another petition, this time from the community of Hearst, that reads

"Petition to the Ontario Legislature":

« Les gens du nord exigent que le gouvernement Harris mette fin », en matière des soins de santé, à l'apartheid qui est en place ;

« Attendu que, d'une part, le programme de subventions accordées aux résidents du nord de l'Ontario pour frais de transport à des fins médicales offre un remboursement partiel au taux de 30,4 cents par kilomètre », à sens unique seulement, « à l'intention des personnes atteintes de cancer, et que, d'autre part, la politique de déplacement pour les gens du sud de l'Ontario rembourse en entier les coûts de transport, de repas, et d'hébergement ;

« Attendu qu'une tumeur cancéreuse ne connaît aucune politique de transport pour les soins de santé ni de région géographique ;

« Attendu qu'un sondage de recherche Oracle publié récemment confirme que 92 % des Ontariens appuient un financement égal de transport à des fins médicales ;

« Attendu que les résidents du nord de l'Ontario paient le même montant d'impôts et ont droit au même accès aux soins de santé, ainsi qu'à tous les services du gouvernement et à tous les droits de personne inhérents que les autres résidents de la province ;

« En conséquence, il est résolu que les soussignés exigent que le gouvernement Mike Harris propose immédiatement de financer en entier les frais de transport à l'intention des résidents du nord de l'Ontario atteints de cancer et mette fin à l'apartheid qui existe présentement dans la province de l'Ontario en matière de soins de santé. »

Je soussigne cette pétition.

AGRICULTURAL LAND

Mrs Julia Munro (York North): "To the Legislative Assembly of Ontario:

"Whereas the activity of farming is being severely threatened and restricted by urban sprawl and infrastructure construction in the GTA;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to provide protection of the class 1 to 3 farmland and the business of agriculture and provide a competitive environment conducive to the business of agriculture."

I affix my signature, as I am in complete agreement.

McMICHAEL CANADIAN ART COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of Canadian art;

"Whereas the passage of Bill 112 would:

"constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection;

"vest too much power in the hands of the founders, who have been more than compensated for their generosity;

"diminish the authority and responsibility of the board of trustees;

"limit the focus of the art collection and hamper the gallery's ability to raise private funds, thereby increasing its dependency on the taxpayers; and

"significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I affix my signature to this.

NORTHERN HEALTH TRAVEL GRANT

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My petition is to the Ontario Legislature.

"Northerners demand Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to

health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I very happily sign my name to this petition.

Mr Michael Gravelle (Thunder Bay-Superior North): I have some more of those 60,000 petitions that were gathered last week in relation to the discriminatory treatment of northerners under the northern health travel grant. This is a petition to the Ontario Legislature.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

We'll keep on reading these till we win this battle. I'm happy to sign my name to the petition.

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

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"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is signed by a number of residents in my riding. I agree with the petitioners. I've affixed my signature to it, and I'd like to thank Gerry Lougheed Jr for all his efforts.

LONG-TERM CARE

Mr Michael A. Brown (Algoma-Manitoulin): I have a number of petitions to the Legislative Assembly. Most of these appear to be signed by people in Nairn Centre.

"To the Legislative Assembly of Ontario:

"Whereas the Espanola area services a population of 12,000 people and government statistics project a growth in population of people over the age of 75 to reach an estimated 336 by the year 2003;

"Whereas the long-term formula for the distribution of long-term-care beds would indicate a need for between 59 and 76 beds by the year 2003;

"Whereas just 30 long-term-care beds exist in the Espanola area with the result that a lengthy waiting list already exists and people are being placed in long-term-care facilities far distant from their home communities;

"We, the undersigned, petition the Ontario Minister of Health and Long-Term Care and the Ontario government to immediately approve a proposal by the Espanola General Hospital, supported by the Algoma, Cochrane, Manitoulin and Sudbury district health units for an additional 34 long-term-care beds in Espanola."

I'm pleased to affix my signature to these petitions.

ORDERS OF THE DAY

TIME ALLOCATION

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): I move that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act, 2000, repeal the Degree Granting Act and change the title of and make amendments to the Ministry of Colleges and Universities Act—

Mr David Christopherson (Hamilton West): On a point of order, Speaker: If this minister is going to be a party to shutting down democracy in this place, the least the government can do is provide quorum.

The Acting Speaker (Mr Tony Martin): Is there a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The Minister of Training, Colleges and Universities.

Hon Mrs Cunningham:—when Bill 132 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered to the standing committee on general government; and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the standing committee on general government shall be authorized to meet for three days of public hearings and an additional day for clause-by-clause consideration; and

That the committee be authorized to meet beyond its normal hour of adjournment on the final day until completion of clause-by-clause consideration; and

That, at 4:30 pm on the final day designated by the committee for clause-by-clause consideration of the bill, those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than December 5, 2000. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading;

That, when the order for third reading is called, the remainder of the sessional day shall be allotted to the third reading stage of the bill, the debate time being divided equally among the three caucuses, after which the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That, the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "Deferred Votes"; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes."

Mr John Gerretsen (Kingston and the Islands): On a point of order, Mr Speaker: Would the minister confirm that the government is moving closure on this most important bill that's in front of the House?

The Acting Speaker: That's not a point of order.

Mrs Cunningham.

Hon Mrs Cunningham: I would like to take this opportunity to move time allocation for the Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000. This legislation is too important to Ontario students to be delayed unnecessarily. The three days of public debate this bill would receive in committee, plus a day devoted to a detailed, clause-by-clause examination of the bill, would come on top of an already extensive stakeholder consultation process.

Before this bill was introduced, my parliamentary assistant, Tina Molinari, the member for Thornhill, and I held consultations with stakeholders throughout the spring and summer to get their best advice on how to make these policy decisions work for students. In addition to these face-to-face consultations, we encouraged everyone with a particular interest to submit in writing to our office their ideas and recommendations on the best way to implement this new degree-granting policy.

We met one-on-one with groups and individuals who had specific interests or concerns that they wished to discuss. We held eight roundtable discussions around the province, meeting with over 150 individuals representing public universities and colleges, academics, private vocational schools, student groups, labour, businesses and various other associations. More than 400 copies of our consultation paper, *Increasing Degree Opportunities for Ontarians*, were mailed to stakeholders, and the paper was also posted on the ministry's Web site so that everyone with an interest in our education system could participate. I'm pleased to say that we received more than 50 submissions from interested participants.

The consultation process was very constructive. We gained, first-hand, valuable insights, from the knowledge and expertise of those who participated, on a wide range of topics including the composition of the quality assessment board; academic and institutional standards, to maintain the quality of our degree programs; the structure of applied degrees; and student protection measures. The structure of applied degrees of course will meet the needs of our young people—what kind of programs they need—and what the needs of industry and business could be. Protection is basically to keep our young people from being in any stage of financial loss—very important for our students to protect them under any circumstances with regard to private universities or otherwise.

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Much of what we heard is reflected in the bill. If passed by the Legislature, this bill would essentially do two things: it would make amendments to the Ministry of Colleges and Universities Act, and would replace the

Degree Granting Act with the new Post-secondary Education Choice and Excellence Act, 2000.

The new Post-secondary Education Choice and Excellence Act is enabling legislation. It will establish the Post-secondary Education Quality Assessment Board. This board will establish rigorous standards to maintain and enhance quality of programs available to our students here in Ontario. Only after a full assessment will the board make recommendations to the minister based on the quality of the program and the institution's ability to provide it. It is this process that would also make it possible for Ontario's colleges of applied arts and technology to grant applied degrees, and would allow for the expansion of more private post-secondary institutions in Ontario.

Ontario's students, their parents, business groups and our colleges have been asking for these changes. The world around us is changing, and students' needs are changing as well with it.

It is our job to give Ontario students a full range of choices for high-quality education and training that they will need throughout their lives to reach their full potential, and to give them those choices as soon as possible. That's why we are seeking time allocation for this legislation.

In addition to feedback received through the more formal consultation process, we have also heard from individuals and groups, including students, who have strongly urged us to have these new degree opportunities in place as soon as possible.

During the debate in this Legislative Assembly, I have listened carefully to my colleagues, both within the government and in the opposition parties. There hasn't been a question or a concern that we haven't taken into consideration as we drafted this legislation. We did respond to the concerns we heard, and I would be pleased at any time to answer the concerns of my colleagues in this Legislative Assembly, including those of my critics, as of course we have attempted to do over the last few months.

For instance, the president of Seneca College, Stephen Quinlan, was quoted in the *Toronto Star* as saying, "The ability to award an applied degree is one more tool that helps college graduates, our province and our nation succeed and excel in a global economy." I also enjoyed very much the quote of Niagara College president Dan Patterson. He basically says, "We're ecstatic. I am very pleased with this opportunity. It is a significant and courageous move on the part of the province. This type of new applied degree will send a significant message to new industries that the college recognizes their technological needs and that a new style of graduate is available, one who will quickly succeed in the workforce. It's not intended to duplicate what universities are doing but to recognize the importance of new areas that require new credentials." Well said and definitely long overdue.

In representing the Association of Colleges of Applied Arts and Technology of Ontario, Howard Rundle, president of Fanshawe College, said: "This significant and visionary action by government recognizes the quality of

Ontario college programming, the needs of Ontario students and the job market. Applied degrees will give students greater choice in the knowledge economy."

The Toronto Board of Trade wrote to tell us, "This decision will provide college students with the type of training and recognition that will ensure their success in the labour market. As employers, we are excited about the ability of these applied degree programs to meet the needs of the marketplace in terms of both practical application and theoretical knowledge." That same group, speaking on private universities, said they "can foster a competitive environment and raise the quality of post-secondary education for Ontario students. Through enhanced choices, opportunities and expanded enrolment, our university system can become more responsive to student demands and create programs that reflect the needs of the economy."

Many students wrote to us, and one especially from Carleton recently e-mailed us to say that "private education will reinvigorate education in Ontario" and to encourage us on our path.

Many of our public university presidents have also recognized that private degree-granting institutions will fill a need. Lakehead University President Fred Gilbert said in the Thunder Bay Chronicle-Journal, "These kinds of institutions cater to the needs of people who are working and do not have access to publicly funded universities."

Paul Davenport, the chair of the Council of Ontario Universities and president of the University of Western Ontario, stated, "The introduction of some small niche-based private universities"—and I think that's what they'll be; they'll be very specific—"will not be seen as a substitute by most parents and students for institutions like Western, Queen's or Toronto. I personally can live with that."

Our public post-secondary system is our priority. Our public post-secondary institutions welcome competition; they welcome change; they embrace it. It is in fact in the best interests of our students.

Bernard Shapiro, the president of McGill University, and, I should remind my colleagues in this House, I believe the deputy minister of either post-secondary education or education and training in the Liberal government of this province, and also deputy minister from the University of Western Ontario, where he was a dean of education, stated, "There's going to be a greater and greater demand for post-secondary education at all kinds of levels, whether we're talking about formal degree programs or informal seminar programs or two-day programs or 10-year programs. I don't think that there's any possibility that current institutions can respond to that entire demand even if they wished to. I think that the more options that are available in education the better."

These are renowned educators throughout this country. They have been presidents of public universities and they welcome the competition. They know there is great demand for post-secondary education of all kinds at all levels, no matter where people live, no matter how old

they are, and lifelong learning is exactly what this province should embrace.

Today's students need the choices this bill would give them. With the increasing demand for lifelong learning, a growing segment of our student population is not of the traditional college or university age. They're not the 18- to 24-year-olds the majority of our students are as they attend our post-secondary education institutions. Many are mature students, already in the workforce and perhaps with a family, who are looking for the specialized instruction they need to move ahead in their careers.

Some students need programs that are not offered by their local university, but it would be very difficult to leave their jobs and families to move to another part of the province. They need degree programs that are available at times and places that are convenient for them. And let's not forget our college students whose outstanding achievements have not been recognized with a degree credential that they need for employment.

This government is committed to ensuring that all of Ontario's students have the full range of quality educational choices they need, where and when they want them, to succeed in their life goals. The Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000, would assist us in achieving that goal and would get us closer to our vision of post-secondary education in Ontario.

It is a vision that includes for our students: accessible, high-quality programs for all willing and qualified Ontario students, no matter where they live: flexible, evenings, summers, short condensed courses, and the list goes on.

Expanding the system through the largest post-secondary infrastructure expansion in more than 30 years—our commitment to public education: SuperBuild, \$1.8 billion to plan for the next generation of young people over the next few years; 59 brand new buildings out there to in fact receive some 73,000 spaces. I will admit that we are looking, along with our colleges and universities, to come up with the operating dollars to support those students when they're there.

Responding to the changing needs of Ontarians by increasing the number of high-tech graduates while preserving our rich liberal arts tradition, and, as well, increasing the number of teachers and doctors we graduate.

Promoting collaboration among colleges and universities to better meet student needs: with SuperBuild we created partnerships with our colleges and universities, I think something like 10 or 12, where the colleges and universities are working together, collaborating, in the best interests of our students.

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Providing students with the information they need to make informed decisions about their education: we are interested in results. Right now published on the college and university Web sites, students who are trying to make choices for years to come can find out the graduation rates of institutions, and by courses. They can find out employment rates. They can find out employer satisfaction rates, and the list goes on.

Informed choices, lots of choices and fostering this competitive spirit within the system will improve and maintain the quality of both our public and private systems.

Through this vision, and the other elements of our comprehensive plan for post-secondary renewal, we have taken long-needed action to strengthen and grow our publicly funded post-secondary education system. We have added spaces to meet increased demand, we are promoting high-quality programs and research, and we are helping students better manage the cost of their education.

We are proposing to reshape our post-secondary education system for today's realities, realities such as a need for continual skills upgrading and the proliferation of on-line courses, to name just a few. We need to move ahead quickly on this, and that is why we are requesting time allocation.

If passed, this legislation would promote the relevance, flexibility and innovation in our post-secondary system that will ensure it is responsive to the changing needs of all our learners. In doing so, it will help to ensure Ontario's continued prosperity and the future prosperity of our students, as they want to contribute to their families and the quality of life in their own communities.

The Acting Speaker: Further debate?

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate on a motion that's designed to cut off the debate, and to say how sorry we are in the Liberal caucus that there won't be an opportunity for the public to participate further in it.

I carry around with me a book called *Here's Where You Should Be—Doing Business*. It's a government document produced by the Harris government about why you should come to Ontario. I just want to tell the people of Ontario that systematically the Harris government is dismantling the things that have made Ontario strong over the years and the things that are in the government's own book about why you should locate here in Ontario.

The bill behind this closure motion is another one of them. It is the Americanization of our university system. It's bringing into Ontario the US practices. Obviously there's nothing inherently evil about the United States, but I submit that we have here in Ontario and here in Canada a unique country and that rather than imitating the US, we should be preserving everything that's great about Ontario. This bill is simply another step toward adopting United States practices and undermining the things that in my opinion have made Ontario strong.

And it's not just me. I want to quote from the government's own documents some of the things they say about Ontario. They say that Ontario is one of North America's most peaceful and secure communities—and this is important—and our remarkable health care system and education system are publicly financed and open to everyone. This bill is designed to create private universities, profit-making of course, that will have tuition fees that will be available to the best-off in our province. It is

dividing our society rather than investing in our public institutions.

This is an Ontario government document. This is the educational system that Mike Harris has decided needs to be radically changed. This is the purpose of this bill, to bring in private universities to essentially make a substantive change in our education system. Here's what the government document said: "According to the 1999 World Competitiveness Yearbook, business leaders ranked Canada's educational system ahead of Japan and the United States in terms of meeting the needs of a competitive economy." So the government is saying, "Come to Ontario because we do things differently than the United States. We have a better system here than the United States. We have an educational system available to all, publicly financed."

Yet in this bill we're heading in the opposite direction. To me what has been absolutely fundamental about Ontario and, dare I say, Canada, has been that regardless of the circumstances you are born into, you have a full opportunity in this society to be and to do whatever you want. It hasn't depended on the size of your family's wealth, but on your own activity, your own willingness to work. But here we go, moving now toward a system where your future will depend on the size of the wallet of your parents.

Why would we ignore the proof that the government publishes itself? It points out, "Ontario's workers are well educated and well trained: 60% of the 1998 workforce have attended university or college; 20% graduated from university; 30% earned diplomas." We have a unique situation here in Ontario and we're about ready to throw it out. The government has decided that it's going to head in another direction.

I point out, by the way, that it's not just in the educational area. This document points out the low crime rates in Ontario. The homicide rates are a fraction of what they are in the US states, and the robbery rates are too. The reason I raise this is because I understand it is fashionable today to look for simple solutions to dealing with crime, but I will guarantee that if we ignore the reasons why we have a substantially lower crime rate in Ontario, we do it at our own peril.

In my opinion it is because we have made certain that young people in this province and in this country saw their future ahead of them. They realized that regardless of their economic circumstances, they had a chance to go on to university or college; they simply had to work. We as a society invested. We had a debate earlier today, you will recall, in question period, around my leader, Dalton McGuinty, calling on the government to, at the very least, after five years of young people who rely on social assistance—the majority of people who are on social assistance in Ontario are children, but there has been no change in the rate for five years.

We are sowing the seeds of our own problems if we don't understand why crime rates in Ontario are dramatically lower than in the US and make sure we maintain the programs that have allowed that to happen. Let's take

nothing away from the need to cut the crime rates, to make sure we have sufficient officers to do all those things, but I guarantee that the moves we're making right now are going to result, down the road, in significant problems for us.

What are we dealing with here? It is a rush to adopt US practices in a society I've been proud to say is different from the US. There's nothing wrong with the United States, and all of us have good friends down there and all of those sorts of things, but we are different, and we are different for good reasons and we should maintain that.

It was ironic in the extreme, I might add, that this document gives a definition of "Ontario." I'm sure most Ontarians know where the word "Ontario" comes from. This document points out it means "beautiful, sparkling, shining water." It's ironic, having dealt with the Walkerton situation, that we have dramatically diminished Ontario's reputation for that.

I say to all of us, here is a government document that points out why you should invest in Ontario. At the cornerstone are two things: our quality health care system, publicly funded and available to all, and our quality education system, publicly funded and available to all.

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All of us are proud to be Ontarians, but we are, step by step, adopting the practices of our neighbours to the south when we have the model right here in our own back yard that we should be following. We shouldn't be heading to a university system where, if you've got the money, you're going to get into law school; if you've got the money, you're going to be a doctor; if you don't have the money, you can't aspire to that.

I want to say to ourselves and certainly to the public that this document is instructive. It points out the reasons why Ontario is unique, and here we are, step by step, moving to undermine and destroy that. We heard some discussion today on the Kings' Health Centre where we were having two-tiered health care. We have the Walkerton situation, where we've decided to invest substantially less on the environment that we did five or 10 years ago and we're reaping the challenges there.

Now we're heading to private, for-profit universities when, in my judgment, we have a model that says, "Why don't we take the same energy and the same enthusiasm and the same resources and help our existing universities flourish and thrive?" We've got the government's own proof before us. Surely that should be enough for us.

So you can understand why we in the Liberal caucus and Dalton McGuinty object to the closure motion and object fundamentally to the bill behind it.

Mrs Tina R. Molinari (Thornhill): The Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000, is an important milestone for our college students. It represents the culmination of years of dedicated commitment to a vision set out in the 1960s. At that time the government of the day set out a clear vision for change. From that vision, a whole new era of educational opportunities opened up for our students.

Expanding on the strong academic traditions of our universities, the government launched Ontario on a bold new experiment in learning through the creation of colleges of applied arts and technology, a system designed to prepare students for the demands of the contemporary workplace. There is no question that what began as a bold experiment has matured into a highly sophisticated network of learning institutions with strong ties to the local economy.

The Ontario Jobs and Investment Board recognized that colleges, with their links to industry, are well positioned to offer advanced training in emerging areas. Its report, *The Road Map to Prosperity*, called for a strengthening of those linkages and a greater degree of specialization of college programs to support regional economic prosperity. We agree with that report and believe that we, as a government, have a role to play in supporting that specialization and regional economic growth.

The legislation would establish the new Post-secondary Education Choice and Excellence Act, 2000, which would make it possible for Ontario's colleges of applied arts and technology to grant applied degrees. This is a change applauded by college presidents around the province. One college president commented, "This type of new applied degree will send a significant message to the industries that the college recognizes their technological needs and that a new style of graduate is available, one that will quickly succeed in the workforce."

It is time we sent that message out, it is time we made that graduate available and it is time to give our students that opportunity. That is why the government has taken the initiative to move this legislation ahead without unnecessary delay.

I had the privilege of chairing part of the consultation process on this bill for the government. The overriding theme of those consultations emphasized the needs of the students, and specifically how this legislation would enhance student choice, flexibility, opportunity and protection. In all we met with over 150 individuals during the consultation process and distributed over 400 copies of the consultation document *Increasing Degree Opportunities for Ontarians*.

The ability of colleges to grant applied degrees to students is an integral part of this legislation that should not be delayed. In the debate last night, even the member from St Catharines agreed that the applied degree is a place we should be moving toward. This is in direct response to requests we have received both individually from colleges and through the Association of Colleges of Applied Arts and Technology of Ontario.

As I mentioned, colleges were established to provide programs that would prepare students for the workplace of the late 1960s. While the system has continued to evolve with its original mandate, the challenges facing us today require more than incremental change in diploma programs; they call for a new set of choices designed for today's reality, one that reflects the innovative programs developed by colleges and the real needs of students.

Colleges have seen this coming, and they have urged us and previous governments for a number of years to permit them to grant applied degrees. They see the value for both students and communities of advanced training beyond the diploma credential in specialized college programs that would differ in structure and content from university programs. We believe that by allowing colleges to grant applied degrees we are providing students with the wider range of choices they require. This would both reflect and encourage enhanced quality of the specialized programs that can be offered at our colleges.

Under this legislation, colleges would be permitted to offer applied degrees in areas where there is a demonstrated employer demand for degree-level applied education and training, and where current diploma programs are not fully meeting the emerging needs. It is important to note, however, that this is an expansion of the college system. Its primary role will continue to focus on their efforts in providing high-quality certificate and diploma programming in programs of one to three years' duration.

We believe this establishes a level playing field in Ontario for our students, our colleges and our communities. It brings our system into line with the type of innovative programs offered at the college level in neighbouring jurisdictions such as Alberta, British Columbia, Nova Scotia, and in Michigan and other US states. But more importantly, it helps our students better pursue their goals.

Applied degrees would allow them to achieve in one program the right balance of academic and applied skills they need to get the jobs they want, and they could get that education right here at home.

For too long, we have stood on the sidelines while the entry level skills in the job market have become increasingly sophisticated. For too long, we have put the onus on our students to take the time to acquire both a university degree and a college diploma in order to pursue their goals. For too long, we have watched as our students and their families have been asked to take on the extra costs of getting an applied degree in other jurisdictions.

Finally, with this legislation, we are taking action on behalf of our students and our communities. We have asked our students to wait for far too long. It is time to put in place a post-secondary system that provides them with the full range of choices they need to reach their full potential.

The Acting Speaker: Further debate? The member for Essex.

1550

Mr Bruce Crozier (Essex): Essex, the tomato capital of Canada.

As I said last week when I spoke to a motion on closure, I didn't like it then, and I don't like it now. I came to this place, elected in 1993, naively thinking that I would have a full opportunity to debate any issue that came before the Legislature. But we find now, for the 15th time—and it seems to be a closure motion a week—that we're again debating a motion that will choke off

debate. I ask the same question today as I've asked before. I don't know what the government is afraid of. Why can't we have an opportunity to speak out, all of us who want that opportunity, to speak to an issue?

I sat here last night until the Legislature closed at 9:30. I was scheduled to speak on this bill at that time and time ran out last night. I hoped I would get the opportunity to speak today to the bill. But instead, I'm going to have to take what little time I have and speak to a motion of closure, a motion that chokes off debate.

I was thinking for a moment this afternoon during question period, when I was warned by the Speaker because of my outrage at what I thought was a move of arrogance, that this too is arrogance. The government is saying, "We've heard enough from the elected representatives and we now want to close off that debate."

I remind the government backbenchers that not only does it take away our right to speak to a bill, it also takes away your right if you might have wanted to have that opportunity and if the government hasn't given you the standard sheet by which to speak to the bill.

You don't hear the government members speaking to the motion that's on the floor, and I know the bill is related to it. But you don't hear them speaking to the motion that's on the floor to close debate. They're speaking to the bill, and that's their right and I might get to this in a moment or two. But when I referred to that time earlier this afternoon, when there was that show of arrogance, it was the member for Oak Ridges, the government whip, who got up on a point of order and had the audacity to say, "You know, ministers are busy people and they want to get out of here." That's another move of arrogance. For the government whip to suggest that it isn't in fact the responsibility of ministers to be in here for at least an hour a day to answer questions from the opposition goes to the basis of this bill as well: "We really don't have time to listen to you. We don't have time to answer your questions. You're irrelevant and we want to just simply get out of here." To me, that's part of the problem of what we're dealing with today.

In fact, the minister and others have spoken to this bill, and they're mainly talking today about the ability that it will give colleges to grant applied degrees. I'll read to you from my Queen's Park Report of October 25. I said in that, "The latest in the privatization blitzkrieg is the Post-secondary Education Choice and Excellence Act, tabled on October 19th. It will allow colleges to grant applied degrees, which currently are only available from universities (colleges award diplomas instead). This, I believe, is a good thing."

But we know in the language of Parliament what that is: it's a hostage. My colleague from Scarborough-Agincourt was talking about this earlier today. That's what's called a hostage in the bill. In other words, we support it, and there may be other parts of the bill that we support, and we're given the choice to either vote in favour of the bill to release the hostage or we have to decide that we oppose the bill because there's too much in it that we can't support. I'm afraid that's the way it is with Bill 132.

I want it on the record and I want it clearly known—and I sent it out to all our local newspapers and media in my riding—that we support the part that allows colleges to give applied degrees.

But you know, the day that this bill was introduced I went to my laptop and I got on the Internet. I was able to find a Web site where I can get a university degree, I can get a master's diploma or I can get a PhD. This comes from the United States. It's based on life experience. You don't have to attend classes. You don't have to have any tests. You don't have to write any exams. They'll give you that degree within days.

I'm saying to myself, "Isn't this something I should be concerned about, if in fact there are universities that try to come into Ontario that maybe won't give you a degree simply because you order the piece of paper, but it may be to some degree less challenging than our own universities that we have in the province today?"

I raised another point in my Queen's Park Report that I would like to read to you. I hope, either through further debate or perhaps at committee, that the minister is able to clarify this for me. But this act actually withdraws a couple of acts that exist at the present time. That is an act that is in place now that allows universities to grant degrees and replaces it with this act.

What I've asked is this, and perhaps it can be clarified for me later. I've suggested, "Another very important concern is that private universities and colleges will not have to be accredited in Ontario"—albeit there is a board that will review them—"they need only be accredited in the jurisdiction in which they are based. An institution from any region with lower education standards than ours"—that's the case—could easily set up shop here. We pride ourselves on the quality of our graduates because we have an excellent post-secondary system. Private universities could undermine this reputation."

I say with all sincerity, I hope that there's no ambiguity there, that the previous act that made it very clear that there was a rigorous accreditation system in place has not been weakened and that a private university or college coming from the US will only have to be accredited in their jurisdiction.

I think this rush toward private universities is perhaps choice, what the government is saying it is, and I'll give them credit. It obviously would give a choice because a student can go to another college or university, a private one, but I think the rush toward that has been brought on by two things.

I don't think this government is prepared at all for the double cohort, that is, when grade 13 has been eliminated and those students who have come up through the four-year system, a much larger number of students, will be hitting the university and college scene at a time when I don't believe this government has provided the support to colleges and universities to be able to accept that.

The second is that they've taken some \$400 million out of university funding, and that has created a funding crisis for universities. I suspect that the government isn't prepared to make that up, and that one of the alternatives is to invite someone else in to help with that problem.

I've raised a couple of questions today. I hope that through the rest of the debate, either on the motion or on the bill itself, government members will help us better understand what their real motives are.

Mr Garfield Dunlop (Simcoe North): It is once again a pleasure to rise this afternoon to take part in the time allocation motion on Bill 132, the Post-secondary Choice and Excellence Act. I've listened very carefully for almost three days to the debate on this bill and I'm now convinced more than ever that our government is definitely on the right track.

1600

As a government that has initiated 166 tax cuts since they came to power, which has resulted in a revenue increase of \$11 billion to the province, we have proven that tax cuts create jobs. As we move toward 800,000 net new jobs created since Mike Harris became the Premier, we have to thank private sector operators and the private sector for their commitment in making Ontario a better place to live, to work and to create employment.

The economic climate created in the province of Ontario has resulted in record revenues for our federal government; in fact, huge surpluses. The government in this province has created almost 50% of the jobs in our nation, with approximately one third of the population, and an unemployment rate of just around 5.5%. The economic climate created here in Ontario has allowed our private sector partners to invest in jobs in our province and to assist in growing our economy.

Over the last few days and all through the session, what do we hear from the members opposite? Almost a hatred for someone who wishes to make a profit. I hear the words "devils" and "demons" and "barons." I cannot believe the comments made about the private sector in this House: almost a love for public sector monopolies, and a complete failure to recognize that competition is healthy in a democratic society. I don't think it can be a democracy without competition. Over and over again we've heard the use of rhetoric, scare tactics and fear-mongering to discredit worthy private sector investment.

In Bill 132, we are encouraging competition and choice for the students in our province. If over 7,500 students are studying outside of Ontario, we must use every available resource to make sure that post-secondary institutions are built to accommodate these students right here in the province. The use of private sector institutions will help us ensure that this happens.

I understand the frustration from the members opposite. Here we have a Liberal caucus that voted against every tax cut in the last Parliament. However, when they campaigned in the last election, they refused to say to the public in Ontario that as a government they would actually reinstate the tax cuts. The frustration continued when they grudgingly voted to support the taxpayer protection legislation in the fall of 1999. Can you imagine the added frustration when their federal cousins, who are in the fight of their lives, are now trying to copy the likes of Mike Harris and Ralph Klein and are now promising tax cuts—

Mr Steve Gilchrist (Scarborough East): They're the new Liberals.

Mr Dunlop: The new Liberals. But a promise made in Ottawa is not a promise kept in Ottawa. Mike Harris has gained the support of Ontarians because of our phrase "Promises made, promises kept." We saw the federal Liberal promises in the election of 1993. Does anybody remember the promise to eliminate the GST? Of course. They let Canadians down by not following through on their promises. We knew that would never happen. The GST was put in there for a reason. That was to eliminate the deficit. That's what Brian Mulroney did. The Liberals tried to cut it out, and of course they reneged on their promise. By not eliminating the GST, they have been able to establish the HRDC slush fund. We have watched with interest this money being wasted across this nation. As Mr Stockwell Day said just yesterday, Liberals and the words 'tax cut' is an oxymoron.

I'm concerned about the federal announcements. They didn't keep their promise on the GST. Are Canadians to believe that the federal government will now let us down on tax cuts if they are elected? Further to that, after cutting health care funding to the provinces, how can we actually really believe that the federal Liberals will partially restore health care funding? Promises made, promises not kept in Ottawa.

I would also like to point out that Ontario has a long tradition of private universities. Today all are publicly funded, but it has not always been that way. As we said last night, many began as church-related institutions: the Anglican at the University of Toronto; the Baptist at McMaster University; the Roman Catholic at the University of Windsor. Gradually all became public as tax money was needed to fund expansion after the Second World War. Ontario's last private university, Waterloo Lutheran University in Waterloo, switched to public financing in 1974, changing its name to Wilfrid Laurier University.

If there is no demand for private colleges and universities, then they will not be able to compete and will no longer exist. If there is demand, then public universities will have to modify their programs to meet the demands of industry and the public, which to me is a necessity. We want to ensure that the new post-secondary programs are the best. To ensure the quality of new post-secondary programs, the act would enshrine the law in the Post-secondary Education Quality Assessment Board.

We have asked our students to wait far too long. It is time to put in place a secondary system that provides them with the full range of choices they need to reach their full potential. This bill will do that and more. I support the motion for time allocation.

Mr Gerretsen: First, I found it very regrettable, of course, that the last member spent all of his time attacking the opposition, attacking the federal Liberals, and it has nothing to do with the basic essence of this bill, which is to allow new private sector universities to be established in Ontario.

Mr Dominic Agostino (Hamilton East): What is he hiding?

Mr Gerretsen: Yes, what is he hiding? That's what we'd like to know. What are they really hiding?

I'll tell you what they're hiding. I'm taking a look at section 13 of the act. Section 13 of the act deals with the regulations the minister can pass under this bill, and it lists about 25 different kinds of regulations. In other words, the entire real method of bringing this into being is going to be done by regulation rather than after full debate in this House.

One of those regulations states, and I just want you to listen to this, that the Lieutenant Governor in Council—basically cabinet—may make regulations providing for the distribution and apportionment of money appropriated and raised by the Legislature for university, college and other post-secondary educational purposes. What that means is that at any time in the future, any government, and certainly this government, could, on a moment's notice, by way of regulation, start funding these so-called private universities.

So there's absolutely no guarantee that public money will not go into the establishment of private universities, and this at a time when the universities out there are crying for money. They have been cut back, as you and I know, by over \$400 million in operating money, from the levels that they were at back in 1995. There have been cost-of-living increases, there have been inflationary increases since that period of time, but not only are they not at the level of funding in 1995, they have been cut back collectively \$400 million per year.

Now they are coming into this House and they're saying, "Well, we want to provide the people, the students out there, choice." It is not about choice; it is about the underfunding of a publicly funded education system. That's what this is all about.

What's very interesting is that the government—I always like using the government's own propaganda, because that way the people of Ontario and the people in the House will know that this isn't just me speaking here but it's actually the government's own words. Here's where you should be doing business, they say: Ontario. This is a publication, and I know we can't use props in the House, but it's a very glossy publication that goes all over the world trying to attract investment into this province.

Mr Agostino: What do they say in there?

Mr Gerretsen: What do they say in there? They talk about Ontario's rigorous education and training system, the way it exists right now. Just listen to the glowing terms in which they talk about our publicly funded post-secondary education system.

"Ontario's high-quality education and training system drives the development of the province's workforce. The system, disciplined and dedicated to excellence"—that's our public system, our public college and university system—"is the product of a modern, accessible partnership among government, academia and private industry, and their research institutions."

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"Canadians place top priority on first-class education and its fundamental consequences for competitiveness in the contemporary global economy.

"Canada spent 7% of its gross domestic product on education in 1995. That was more than the United States, Japan, Germany, France, Italy or the United Kingdom." I could go on and on.

"Ontario's system of 17 universities is one of the most highly developed and accomplished anywhere, with significant faculty, library and R&D resources....

"McMaster and Toronto have been ranked independently as among the 10 universities in North America for computer, electrical, and mechanical engineering." It goes on and on.

They are lauding our public system as being the main reason Ontario is so competitive in our global economy. So you would say, if they're lauding that, why are they taking money out of that system? When every other jurisdiction in North America has been putting more money into education over the last five years, why have they been cutting it back over those five years? And why does the whole question of setting up private universities that are going to take more money out of the public system even come up at this point in time? There's no reason for it.

What we should be concerned about is making sure our publicly funded health care system and our publicly funded education system at the primary, secondary and post-secondary levels are the best in the world. You do not do that by allowing the setting up of private institutions that will be funnelling, by way of regulations and otherwise, money out of the public system. As the minister has already so openly stated here, obviously students who go to that system will be eligible for OSAP loans. That money will not be available to students who go into our public system. If there is more money to be shared among more individuals for more different institutions, whether they're public or private, obviously there isn't going to be as much money available for just the publicly funded institutions the way they exist right now.

So I say to the government, you're totally on the wrong track. Why don't you, as a first priority, make sure you live up to your own commitments that you talk about in your own document and put the money back into the publicly funded system we have? Give the universities and colleges back the \$400 million in operating money that you've taken from them on an annual basis.

The minister will say, "We have made some capital funding announcements to take care of the double cohort that is going to go through our system in another two to three years"—three years, I guess. I know, for example, that in the Kingston area Queen's University has received up to \$40 million for a new chemistry building, and \$16 million for an expansion of St Lawrence College—capital monies—and we are grateful for that. We are grateful that some of the people's money is coming back to the jurisdictions where a lot of the money came from in the first place in tax revenue etc.

But what it hasn't answered at all is, what about the operating money that is required to ensure there are student spaces and teaching staff available for the double cohort that is going through the system in two to three years? We're talking about an additional, I believe, 80,000 students. There have been absolutely no guarantees given by the minister. I frequently get asked questions by both my university and my community college as to what is going to happen.

When you take into account as well the tremendous feelings of anxiety and frustration that have built up within those students who will be part of the double cohort, those students who will be graduating out of grades 12 and 13 in the year 2003, you can well understand that what we need to do is ensure that the publicly funded system that has worked so well in this province over the last 40 years, that you laud in your own public documentation that you send across the world, in which you claim Ontario is number one and which makes us competitive around the world—why don't you put the money there first? That should be our top priority. The people out there are not interested in private institutions when we don't know what the standards are going to be, when we don't know whether they have to meet the standards of our present-day universities and colleges but may very well only have to meet the standards of the places where those private universities were originally chartered. There are just too many unanswered questions there.

I say to the government, as I wind up the few minutes I have to speak on this bill, shame on you for time-allocating a bill like this. I know it has become almost a common and customary thing to invoke closure. This subject, this topic of privatizing our university and college system is simply too important for closure to take place. I say on behalf of all those students who are in the system now or are coming into the system, like our pages, five, six or seven years from now, on behalf of all of them I say, "Government, spend your money to upgrade the publicly funded system. You've taken \$400 million per year out. Put the money back in. And once we've really got the top-notch system, then maybe we can discuss some of the other issues you've got out there." That's the only way we can ensure the students of tomorrow will indeed have the resources available within themselves to be competitive in the new world.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Sadly, again I stand to speak to a time allocation motion. As a member who was elected on June 3, 1999, I really thought that as a voice for the people of my part of Ontario I would have a reasonable opportunity to speak on their behalf and make points on behalf of the people of Hastings-Frontenac-Lennox and Addington, as well as the perspective of Dalton McGuinty and the Ontario Liberal Party. Here we are again addressing another time allocation motion on a matter of great importance to the people of Ontario. We are talking about an act that deals with providing post-secondary training opportunities for students.

I am extremely disappointed that the Minister of Colleges and Universities did not see fit to bring forward legislation that would better enable the agencies that provide post-secondary education to be better prepared for the double cohort that is going to arrive in the year 2003-04. I attended, with my colleague from Kingston and the Islands, an excellent meeting that was held in the city of Kingston, where many concerned parents, students and educators have come together. They have highlighted important issues around the needs there will be in the post-secondary system when the double cohort arrives, and the very serious question and doubt that this government in fact has a plan to adequately address the large numbers that are going to arrive on the post-secondary school scene. Yet the minister has been conspicuously silent on all the preparations that are being made to deal with this very important issue. One has to question if allowing private businesses to set up and perhaps provide some of that space for those who might be able to afford a private university education is part of the solution.

A point I want to make as well, on behalf of my constituents, is that this bill does nothing to support affordable post-secondary education. I think all of us in this House recognize the importance, in fact the necessity—for our children to be successful as members of society it is imperative that they have a good education, and imperative, if they are going to work at a meaningful job where they get a living wage and benefits provided, that they would have some kind of post-secondary training. This bill does absolutely nothing to provide students in this province with opportunities for more affordable education.

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I am really quite surprised and disappointed when I hear the member for Simcoe North say to the members of this House that we on the Liberal side of the House, Dalton McGuinty and the Liberal Party of Ontario, have an aversion to people making a profit. Well, that's wrong. But you know what? We have a real problem when this government sets up business to profit on the backs of students, on the backs of people who don't yet have a job but are training to have a job. We are taxing their families. This member from Simcoe North who brags about their tax cuts is supporting legislation that will continue to tax families who have students in post-secondary institutions. I am so disappointed, so very disappointed, with the lack of opportunity that this legislation provides for students.

I want to talk about that part of the bill that is going to enable colleges to grant applied degrees. Certainly that is a notion that notionally this party can support while continuing to be concerned about the lack of clarity in the bill. The legislation specifies that the minister, by regulation, can allow a college to operate as a university and grant degrees without limitation. That may be a good thing and it may not be. The problem I have is that there is a lack of clarity with respect to this particular part of the legislation, and really I think it leaves too much

power in the hands of the minister to make decisions of this import.

When we hear about the quality of post-secondary education and what this government is doing to enhance it, I have to say that I would argue that any piece of legislation that gives this kind of power to a minister in terms of deciding whether a program or a college should be qualified as a degree program gives me cause for some concern.

There was a statement made by, I believe, the member for Simcoe North, who indicated that this legislation would enhance quality through competition, that we are now looking to enhance quality in education through competition. This from the government that cut, that damaged the quality of post-secondary education by pulling back \$400 million from colleges and universities. They weren't too worried about the quality of education when they pulled that \$400 million away from colleges and universities, and now you suggest to this House, "We're going to bring in legislation that's going to increase competition and that's going to improve the quality."

I would suggest that you might better look to improving the quality of post-secondary education by enhancing the funding. We are the richest province in Canada and we should be ashamed that, with that credential, we rank 9th out of 10 in our supports for post-secondary students. That's how cheap you are. With all the money you would say we have as a result of your policies, you support our children ninth out of 10 in Canada—not a record I would be boasting about.

Now you suggest that the best way to improve quality is by introducing competition, absolutely abdicating your responsibility as a government to ensure quality post-secondary education. This is a gamble you're taking, and you're taking it with the lives of our children. I cannot support any action that will do that.

My husband and I have four children, and we've worked very hard to ensure that they have the very best opportunities available to them. So I am compelled today to stand before you and say that introducing the opportunity for private universities to operate in this province has not helped my husband and I, nor our children nor members of my constituency, to be better able to provide that post-secondary education.

For those people who are of significant means it is an option, but it's not an option for all students. When you talk about providing choices, let's talk about all the students in Ontario, not just the students of parents who have money. To stand in this House and suggest that you're doing something wonderful for the students in Ontario is a most selective way to present it. In fact, you are presenting opportunities for students of means.

There's enough in this legislation that gives me cause for question and concern, and I have to say that I would not be able to support it as it has been presented—sadly. There certainly are components that I think are very worthy of consideration. I think there are college programs that should be qualified as degree programs. It

would be a benefit for the students of Ontario to be able to access that, but otherwise I'm not able to support this legislation.

Mr Christopherson: I'm pleased to join in whatever little debate we have left on this issue. Of course the matter before us specifically is the matter of shutting down debate on this important bill, but under our rules one also has the right to speak to the bill itself, and given the limited time, we have to take every opportunity we can get.

First of all, as to the whole notion of the fact that we've got a time allocation motion in front of us right now, certainly anyone who is, or who has been, involved in education in a professional way or as a student would understand very directly and immediately the revolutionary nature of what's before us.

It takes a little time for the message to get through. Especially with municipal elections and a federal election underway, and the bombardment of advertising and massive information everyone gets, it takes a while for the information about the implications of a particular bill to get through to the average citizen, which of course is what the government counts on when they ram these things through so quickly. They count on the fact that people will not fully grasp all of it, so that they say, "I think I recall hearing something about that. What's that all about?" By the time a lot of Ontarians get to that stage in their thinking about this issue, hey, it's history, it's law, it's over. I've seen that happen over and over again, with virtually every piece of major legislation this government has brought in.

Introducing private universities into our post-secondary education is nothing short of revolutionary, but for a lot of us it's a negative revolution. This government likes to say that because something's not perfect, the fact that they've taken any action is good. In the vast majority of cases the opposite is true. Yes, something needs to be done, but not what you're doing; in fact, the opposite of what you're doing.

If nothing else, the government ought to respect the people of Ontario. The Mike Harris cabinet ought to respect the people of Ontario and allow democracy to run its course. Instead we've got government run amok. We have had three sessional days, which means maybe two hours or three hours maximum each day, on this bill. There are only 103 members left, after you slashed the number of seats in the House, but that still leaves very little time for anyone in this House to adequately address these issues. Never mind the public, the members have not had their opportunity, and what you're doing to the public is absolutely insulting.

After we're finished today this goes to committee. There will be three days of committee, but likely days that are held when the House is sitting so they are only part days. If we don't finish question period until around 3:30 or a quarter to 4, then the committee meets from 3:30 or a quarter to 4 until 6. That's a day. Under different rules, this government—magically—creates two days out of one. But in this case, one day is less than three

hours. We get that for three days, and I guarantee you that will be so rushed and so hurried that people will not have an opportunity to adequately research and pull together the kind of presentation they would like, whether it's to be in person or written and submitted. Three days. By law, by order of this House, by passage of this motion today, that cannot change.

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Then one day of clause-by-clause, which is a further insult to the members of this place, because we know at the end of the day the government is going to give absolutely no credence to opposition members' amendments. In many cases, our experience in clause-by-clause when they're rushed for one day is that the amendments often don't even get to be placed, let alone debated. They're deemed to have been placed, deemed to have been passed once the allocated hour has been reached.

Then it comes back for one more day of debate for third reading. A day, again, in this case means maybe two and a half or three hours, and then that's it. Then the revolution, quite frankly, is over. Private universities then will be a reality in this province. Now, you'd think, as under the existing law, that the government would have to bring in a bill creating a law that designates a university. That's what the law is right now: it must be an act of this Legislature to create a university—for good reasons, given the standards, the qualifications, everything that needs to be met. That's why that high standard is there.

After this bill is law, a private university can be created at the stroke of a pen. At the stroke of a pen the Minister of Education, like that, can create a private university. What are the implications of that? We won't really know, because there's not enough time to debate it, there's not enough time to research it, there's not enough time to let the public have a full airing of all the issues, which of course is exactly what the government is counting on.

You know what? It will barely register, if it does, in the media, not because the media doesn't care but because it's really not news. This government uses time allocation motions so frequently and has such limited debate—on Bill 74 what did we have, Rosie? A day and a half?

Mr Rosario Marchese (Trinity-Spadina): A day and a half.

Mr Christopherson: A day and a half on Bill 74, which at this point has significant implications when you take a look at what's happening in our school boards and the negotiations with the teachers in my own community of Hamilton. This government cannot escape the fact that Bill 74 and its direction and its new rules has a major play in why 40,000 students, kids, aren't in school right now. A day and a half. So the media are not going to take it as newsworthy that there are only three days to debate this newest chapter in the revolution. That's a shame, because what it does do is make this place less and less relevant. That's a shame. Democracy loses when that happens. This is the people's place. Between ramming

things through in a hurry, taking things out of legislation, where they have to be debated here with the cameras and the media and the public availability to be here, so much has now been pushed into the cabinet room, which is private, that this place becomes more and more meaningless all the time. That truly is a shame.

However, having said that, because quite frankly they're going to win the vote, we know that, I want to move on to a couple of things that I want to put on the record, and then our critic, my friend from Trinity-Spadina, will conclude in rotation the balance of the time we have for debate. But there are a few things I want to put on the record very clearly, particularly since the two post-secondary education institutions in Hamilton are in my riding, Mohawk College and McMaster University, two highly regarded, world-renowned institutions that I'm very proud to have in my riding and to have in our community. But I know the struggle they've been facing in terms of funding cuts.

If we stand back and take a look at the context for this change, this is a government that says they care about post-secondary education, but of course they say they care about everything. It doesn't matter what they say; what matters is what they do. What have they done in terms of university funding? They've cut \$400 million a year from universities. Cumulatively, it's \$1.4 billion. So the first step in this government's grand vision of post-secondary education is to cut funding by hundreds of millions of dollars. That's step one; that's the old Tory thinking, "Do more with less," which of course, if you extend that brilliant thinking, means that if they eliminated all funding, we'd have a perfect university system—absurd, but no more absurd than what you're doing and the process you're using and what you've done to universities to date.

It has been pointed out, and it needs to be said again and again and again, that we are right now in Canada ninth out of 10 in terms of funding for post-secondary education; in North America, 59th out of 60. We used to be at the top of the list. We were if not the best, one of the best, and now we're 59th out of 60 in North America. Yet they say they care about the young people of Ontario? Yes, you care about them if they're rich, because that's who's going to benefit from all this, just like most of the things you do.

We have the proud distinction of having the highest student-to-faculty ratio in Canada. That hurts the quality of education, but this is the context of what they've done: cut funding, increased student-to-faculty ratios and, thirdly, tuition fees have increased 60% under this government. That's the third piece of this. They come in and again talk, talk, talk about caring about universities and colleges and talk, talk, talk about caring about our young people's future. Talk, talk, talk. What's the action? Cut the funding by hundreds of millions of dollars, have the highest student-to-faculty ratio in the country and tuition fees that are 60% higher than they were when you first took office. The average student now has a debt of \$25,000. That's not the way it was just a few years ago.

Now your talk, talk, talk is that you're going to bring in private universities and that's going to make things better somehow. Oh yes, you want to make sure people have a choice. Obviously they're looking for something, because the university system is no longer serving the needs of so many Ontarians that you know there's a pent-up demand, and just like Klein in his step-by-step process to two levels of health care, private and public, the two-tier health care system in Alberta, you want to start the slow, steady march. Anybody who thinks it's going to stop at universities ought to give their head a shake. How long before we see it in our secondary school system, our elementary school system? Whether it's charter systems, whether it's vouchers, whatever it is, this is the tip of the iceberg. This is where we're heading.

The government will say, "It's going to be private so that people have an option, and it's not going to cost the taxpayer anything." That's not true. It is going to cost the taxpayers. First of all, all students will be eligible for OSAP, which happens to be public money, taxpayer money.

Second, let's take a look at the closest example to us: south of the border, in the United States right now, 30% of all revenue for private universities is either directly or indirectly coming out of the pockets of taxpayers. What on earth makes people in this place, on that side of the House, think there's some new law of physics that says that's not going to happen here? Of course it is. Bit by bit, not initially—well, except for the case of OSAP and a number of other tax credits which may be in place. But make no mistake, as the years go by there will be further enticements, further shoring up. There's no way our system can be maintained that much differently from what the American experience has been with private universities.

1640

Talking about the future, I know we've had assurances from the Minister of Colleges and Universities that there's no problem in terms of NAFTA or the WTO, nothing to worry about. Well, there are those who would beg to differ, and it's not just a nice, interesting, stimulating debating point. The implications of whether or not NAFTA and WTO apply are huge. Under NAFTA, it is on the line to the extent that a publicly provided service like a university, if it's made available on a private, commercial basis, then the government must either eliminate public support for one or provide it for both. Given that I wouldn't expect even this government to announce one day that they're going to shut down all the public sector universities in Ontario, a ruling like that means we're on the hook to provide these new private universities with every cent of investment that we now make in public universities.

Is that the way NAFTA would rule? I don't know, but neither does the government. There are experts, in the initial days of hearing about this—and that's why it's so absurd and obscene that you're ending debate so quickly. In the initial days, there seems to be opinion on both sides. Some will say no. Others are saying, "Yes, there

could be a challenge under NAFTA and, yes, we could lose that fight, and if we lose it, there are the implications: shut down the public sector or provide the private sector with exactly the same amount of money that we now invest in our public sector universities." Put that in front of the people of Ontario and ask them if they're interested.

WTO is even scarier, if you can imagine it. Under WTO, once you privatize a public service, and the public service, I would say parenthetically, has been protected by virtue of a special exemption because it was already in place—a grandparenting clause, if you will—but once you make the step out, you can't go back. There's no putting the genie back in the bottle. No government down the road, based on an election platform of "This hasn't worked for us, people of Ontario, so we need to change and go back to our exclusively publicly funded university system"—even if a party were elected with a majority government with the mandate to return to where we are right now as I speak, it would be in violation of international law. Once gone, gone forever.

Why aren't the minister and the cabinet and the Premier concerned enough, at the very least, to give this further airing before we risk so much? We risk everything in terms of the finances and our future ability for us as a people, as a provincial society, to decide to choose. You like to use the word "choose." Maybe the people of Ontario would choose, upon reflection, to say no. But there's no time to do that. Everything's just going to whiz right through, and if you're not ready and lucky enough to get one of those berths in those three days, you don't even get heard—not that they're planning to listen anyway, but you don't even get heard.

I want to put on the record the comments of the president of the Ontario Confederation of Faculty Associations, Professor Henry Jacek, who happens to be a professor at McMaster University in my hometown of Hamilton, but in this quote he's acting in his capacity as president of the Ontario Confederation of Faculty Associations. Here's what Professor Jacek says:

"The problem today is that NAFTA demands national treatment for American for-profit firms. The NAFTA allows a US corporation to sue the provincial government if any change in public policy is believed to adversely affect"—get this—"anticipated profits by a US corporation. This availability of tort action by US for-profit corporations against federal, provincial and municipal governments was not foreseen by the Canadian NAFTA negotiators. This unanticipated nasty effect of the NAFTA has been called by *The Economist*—a magazine I'm sure every Tory goes to bed with every night and snuggles underneath their pillow—'the sting of the tail of NAFTA.' My only question: does the present government hope for this sting in the future? Given the present government's hostility to the public and non-profit institutions in Ontario, I fear the answer is 'yes.'"

These are profound notions of what could happen, and I'm willing to bet that people who know a lot more about this than me have other concerns that are equally worthy

of debate, consideration and review. That is why we're here. But that can't happen if we don't have the time to do it. We've got about a dozen pages here today. I don't know how closely they're listening to these debates. Not much I suppose, given their age. But the fact of the matter is that an important part of their future is being debated right now. Isn't it worth it? Isn't their future important enough, our children's future? Isn't it important enough to at least take the time to look at this?

But then that's not the style of this government, is it? Once you've decided what you want to do, you just go right ahead and do it. It doesn't matter what anybody else has to say. You ram it through this place as quickly as possible with little or no public hearings, no opportunity for public opposition to mount.

That's what it's all about at the end of the day. This is so big and the implications are so serious that it really does go beyond who we are as partisan members and speaks to our responsibility to our young people and to the future of our province and, yes, the future of our country. I don't think that's over the top. We're talking about our university system and who gets to go to university and who doesn't, who gets to have a really good future and who doesn't.

That's worth at least a little bit of consideration. That's not asking too much. But to this government, that is asking too much. So with that, I again condemn this government for shutting down debate on something so important, so complex, that deserves time, deserves consideration. I further condemn them for their direction because I don't see where this is helpful to the majority of the people I represent in Hamilton West, and I believe that applies to probably just about every other community across Ontario. It's another play to take care of the only people you care about: those who already have, and everyone else be damned.

Thank you for the opportunity to speak, Speaker.

1650

The Deputy Speaker (Mr Michael A. Brown): Further debate?

Mr Alvin Curling (Scarborough-Rouge River): I thought you were going to share it with your colleague, but I presume that's not the case.

Here we are again. What we have today is a short-circuiting of the democratic process and closure, limiting people in expressing themselves in this democratic society. This government has consistently been so undemocratic in their approach. It is appalling, it is insulting, it is degrading in a society like this to muzzle those who have been elected to our Parliament to speak by not allowing them to speak. Furthermore, not only are they muzzling elected individuals, but also the citizens of this province, who like to express their concerns about legislation that is so important to them in every respect—to their children, to the economy and to the institutions themselves and how they are to be governed.

What happens when we have legislation like this? What really happens is that we have bad legislation and bad regulations. What we have thereafter is other govern-

ments coming in to amend the legislation at a cost to the citizens of this province—a cost financially and a cost to this democratic process that many people have fought for for years so as to have a say in this society.

They sit there and they've been given direction on how to vote and what to do. I know that many members here today, as they sit and look at me, are very concerned that their leader has told them to fall into this rigid aspect of democracy.

Hon David Turnbull (Minister of Transportation): What a lot of drivél.

Mr Curling: The Minister of Transportation calls it drivél. I know that is the exact way he feels about the citizens of this province: "They are drivél, they should be ignored, citizens should be ignored. As a matter of fact, we have power. We are too busy to do our job." That's what the House leader said today: "Too busy to do our job. As a matter of fact, let's get on with it so we can get out of here into our limousines without dealing with the real issues of concern: democracy."

The fact is, good legislation—there is far too much bad legislation on the books. The fact is that as he gabbles over there with all the insults he wants, that does not stop the expression of the citizens. I hope they have not reached the stage where they will cancel elections in the future.

Let me get to the bill, although he tried to distract me from the fact that here is a bill that is so important. When we talked to the minister at the time she gave her report—I want to read from her speech: "For some time now, students, parents and employers have asked the Ontario government to allow greater flexibility in the educational opportunities available to students so that they can acquire the marketable skills they need to prosper in today's world."

Sure, I'm convinced they were asking her tremendously about their need to have better options and better facilities and what have you. They have been asking for more flexibility in the way they can learn in the present institutions we have. Of course we have problems in institutions, which this government has underfunded. They have taken \$400 million out of the budget of post-secondary institutions and said they should operate, and legally put \$200 million back and said, "Aren't we nice? We have been funding these institutions."

Who suffers? The students who are going there are suffering. When we look at it, they have increased—they stood here last time and I heard the minister saying that tuition fees have gone up under the NDP and have gone up under the Liberals. There has been a 60% increase since this government has come to power, but they forgot to say that. Students are burdened with high tuition fees. They are burdened too with the fact that they are more in debt than at any other time in history. Many times they average about \$25,000 indebtedness when they finish their first degree.

What has happened? By underfunding these institutions, they have created a crisis in the situation and then said, "How are we going to solve it? We should bring

private institutions in so they can have more options." It's a Hobson's choice. They have no choice at all. The fact is that they are not yet clear about the courses they will be offering.

When I asked the minister about transferability—I hope there's time, because there's such limited time in which to put one's case forward, and many people to be heard. When the minister was asked about the kinds of courses that these private institutions will be offering, and what if they go under, the response, I understand, was that they could transfer to another institution.

I had to emphasize earlier on in a previous speech that I have seen universities, I have seen colleges offering the same course at night and then when the students try to transfer into day courses, they were not accepted—in the same university. And here we are now talking about transferability from one university to another. I'm not quite sure if those students are protected.

So beware of all this great entrepreneurial aspect of education which I heard the member from Peterborough mention the other day, that education is not a right, it's a privilege. He's so consistent with his conservative view; he's trying to make sure education is for the privileged. Education should be a right for all.

But I'm not at all surprised by these right-wing Conservatives who feel very much that there are losers and winners in our society and we should only emphasize the winners, we should put our money where the winners are and pick the winners too. Sometimes they don't understand what winners and losers are. The fact is that many times the losers they have picked have cost them more in society and have cost our society far more than what we should be dealing with today.

I am extremely concerned that the cut-off to this debate has jeopardized many expressions, many concerns in our society, many concerns of the university: "If you're proceeding with the legislation, make sure that certain aspects of it are protected. Make sure that certain aspects are dealt with." You will never hear that because the attitude of this government from its inception has been to say, "I know what is right and that's it. I will tell you when to speak, how to speak and how long you should speak, because we are the democratic process, we are the dictators."

What surprises me, in a way, when I meet these gentlemen and ladies outside is that they're honourable people. They really are concerned. But what I'm confused about is when they are told by their leaders to bark this way and that way, they yap and yap like that and they sing from the same hymn book without any expression of the intelligent people they show themselves to be outside. Their constituencies are annoyed with them, annoyed with fact that they've cut off their expression in our democratic society. Closure is one of the most dictatorial aspects of any democratic society.

I hope that when the people of this province get an opportunity to look them straight in the eye and say, "That's the way you've handled our trust. That's the way, when we want good legislation on our education, you

handled it, without even speaking to me about it." They should deal with them in a manner that we all know is so well dealt with.

I remember a fellow called Mulroney, you may recall. He had one of the largest pluralities in this country and, my golly, when the people of this country finished with him, his caucus could be held in a phone booth, it was so small. They sent a clear message about the arrogance of parliamentarians, the arrogance of politicians.

The arrogance of this government is so clear itself, so clear in the way that they make legislation without listening to the people. There is no consultation, or they speak to two or three people they have selected and say, "We have consulted." They consulted before, then made legislation. And then what they say to the people is not what is on there. I would never say that these people would have lied about what they have heard about, but I would say to myself that it doesn't reflect accurately, as a matter of fact, completely what the people want.

This Bill 132 again is consistent, as I said, with the way this government has behaved. It's extremely unfortunate that they would not get the opportunity to listen to the Ontario Federation of Students who, as a matter of fact, chose our leader as one who listens to students and is on the side of students. As Dalton McGuinty said very well, he's guilty of being on the side of the students. And I'm guilty of being on the side of the students. I would have really loved to have supported this legislation. I can't support this kind of legislation because I can't support that aspect of it and the way they are doing this in the most dictatorial way, the manner of shutting down people's voices, shutting the citizens out of the democratic process. It continues to be a sad day in Ontario.

1700

Mr Marchese: Here we are. I have another opportunity. We are on live again. It's 5 o'clock. We are dealing with time allocation on this bill called the Post-secondary Education Choice and Excellence Act. Time allocation—what does it mean? It means that we are about to dispose of this bill herewith; it means it's gone in a very short while. It treats you, taxpayers of Ontario, as if you were insomniacs. It treats you as if you have no life. It treats you as if you are not critical human beings at all. It carries on as if life outside of this Legislature does not exist. You are, for all intents and purposes for this government, insomniacs.

You can't allow yourselves to be treated so irrelevantly. How could you allow this government to treat you, taxpayers, with such disrespect? My goodness, you would think the issue of respect that comes from the Reform-Alliance federally would flow down like good manna from the mountain to this provincial government and would infect them somehow with the same quality of respect that he obliges the rest of the world to abide by. Good heavens, why doesn't that respect flow down to you people? Aren't you part of the same crowd? And is not one of your ministers the head minister of Mr Day's campaign? Surely he would respect you, the taxpayers of Ontario, and give you a greater and better opportunity to get to know what this bill is all about. How can they

advocate respect at one level and disrespect at the other? What does it all mean? It means you can't trust this government, nor can you trust the party of M. Day up there in Ottawa.

I am doing what Laurel Seabold asked me to do: I'm going to read a quote in terms of her concerns around this. She wrote this e-mail to me: "I am a 20-year-old student. I don't live in your riding but I believe you still represent me because you are the education critic. Since the Legislature is back in session"—she wrote a while ago—"I'm writing to you humbly to request that the NDP address the issue of private universities in Ontario as soon as possible. I know you addressed this issue last spring and I strongly appreciated that. But all indications are that the government has not changed its position and wants to implement American for-profit universities in this province as soon as possible." She knew it was coming. "The government is putting the interests of foreign corporations ahead of the Ontario students who they are supposed to be representing. I believe you need to tell them again in no uncertain terms that this is extremely wrong and that private universities will not help most students and will in fact hurt many of us."

And she's right—a 20-year-old student watching this parliamentary channel, urging New Democrats to fight this government and to fight them over the issue of the introduction of private universities. She understands that private universities will do nothing for the quality of our post-secondary education system, will do nothing for her or her equals, will do nothing but add to and protect the interests of your barons from Bay Street.

You are but instruments of your corporate clientele—poor instruments of your corporate clientele—because you do not seem to have your own will to stand up to them and say, "No, our quality of education at the post-secondary level is the best we've got and we're going to improve it." You just don't have it in your ideological framework to change direction. So when the corporate elite and the barons of Bay Street come calling, there you are serving the interests of those corporate lobbyists, ready and willing to offer you a couple of thousand dollars so that you could serve them over and over again. You're not serving the public with this bill; you're serving investment bankers, corporate lobbyists, the corporate clientele who are your friends. These are the people you're serving, because I tell you quite frankly, when you speak about choice, there is no choice for ordinary Ontarians.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): There's more choice.

Mr Marchese: More choice, says the member for Bramalea-Gore-Malton-Springdale. He says the bill offers more choice. I tried to exfoliate this bad onion as best I could. I thought I did that last night; I'll try it again. Member from Bramalea-Gore-Malton-Springdale—you've got a whole lot of people to represent up there—how is it that you're offering more choice?

Interjection.

Mr Marchese: I'm going to help you out; just a second. I've got 20 minutes.

The Deputy Speaker: The debate would work far better through the Chair.

Mr Marchese: Thank you, Speaker. I'll try to continue to address you as often as I possibly can while at the same time speaking to the member from Bramalea-Gore-Malton-Springdale, because this member says, "Oh, no, this bill offers more choice." I said to you yesterday, good taxpayers from Bramalea, from wherever you are in Ontario, this does not offer choice. Choice is within the public system, not within the private system. Choice is not for you, private taxpayers who are earning a modest, \$30,000, \$40,000, \$50,000, \$60,000, even \$70,000. That's not a choice for you, to send your children to a private university. Why, I say to the member for Bramalea-Gore-Malton-Springdale? Because when you have got to pay \$40,000 a year in tuition fees, that means it's exclusionary. It means it excludes 99% of the population from accessing it. Why? Because it costs too much. It's too much.

Surely he, as a thinking human being—and I'm assuming that they are thinking human beings—would have followed this argument and concluded, logically—because it's a plausible point that I make—that if you've got to pay \$40,000 a year in tuition fees, that means most of his riding is excluded. Wouldn't you agree with that, Speaker? There's no comment from the Speaker, because he's a neutral Chair.

But you, taxpayers, I'm sure those of you who are watching would understand that if you have to dish out \$40,000, it means that you don't have a choice. Isn't that true, M. Joe Tascona, that you don't have a choice? I'm sure your kids can't afford to go to a private university. I'm convinced of it, because quite frankly even with your own salary—\$78,000, and parliamentary assistants get \$11,000 more, meaning it's about \$90,000—even with that salary, I don't believe that you can send your son or daughter to that private university you're about to set up. Yes or no? Speaker, through you, he's not nodding.

Interjection.

Mr Marchese: His children what?

Interjection.

The Deputy Speaker: Through the Speaker. You're the only member I've recognized.

Mr Marchese: I'm the only one he recognizes, and he's right. I am the only one to recognize, because the arguments I make are more than plausible, even to ordinary folks—not "even"; especially to ordinary folks who are watching this parliamentary channel. I am convinced that most of you people, as members, can't afford to send your kids to this private school. I know that. So why would you be offering such a choice to the wealthiest?

Interjection.

Mr Marchese: Through you, Speaker, I'm just trying to listen to what the members are saying, because I like participatory democracy; I do. It's important. I like it in this place as I like it outside of this place. We're shutting everybody out. It has nothing to do with choice. It has nothing to do with excellence. Our public education system at the post-secondary level, according to the words of the Premier and others, is one of the best in the

world. How do you make it better by making it exclusionary?

1710

Mr Dunlop: Competition.

Mr Marchese: Competition, my foot. There is no competition. We are offering competition. Our university system is as competitive as anybody in the world. It is competitive with itself. Is the member from Simcoe North saying competition means that our public system should be able to or can compete with a private university where tuition fees are \$40,000 a year? What kind of competition are we talking about?

The most important point, because their title speaks to this, is choice. What choice do we have? Where is the diversity? There is none. We are dealing with one community only, and that is the wealthiest community. That's the community they're serving. They want to be able to give the wealthiest the choice they want. They want to be able to create a university that's private and is a private club for the barons of Bay Street.

If only they could just put back some of the money they have stolen away from our public system and given away to corporate tax cuts and individual income tax cuts. They've stolen money from our public institutions: \$400 million and more. They took that money to give to corporate tax cuts and have eroded the quality of our education system. As a result of that, we have to rely on what? We have to rely on donations. In 1992, donations were \$286 million. In 1997-98, they're \$502 million. We are relying on the private sector to give us money, and there are strings attached when we give money. When we get money from the private sector, there are strings attached. Nothing comes from the wealthy who give to universities that is without strings. There are corporate strings that come with that money, but it has more than doubled in the last five or six years.

Tuition fees in 1982 were \$834 million, which amounts to 25% of total university education. In 1997, it amounts to \$1.255 billion, which is 35% of total revenues. What does that mean? What does it mean to you, taxpayer? What it means to me is that my daughter is paying more in tuition fees than she did three, four or five years ago. My other daughter, who will be going into university, will be paying more than we ever did in the past. We are relying on individual students to work harder and longer than ever before to be able to pay for their education. Why? Because this government has stolen money from our public system to give it away to corporate tax cuts and individual income tax cuts. I say stolen because that's what it is. They are trampling on our public systems and thereby creating a climate for the creation of a private university which they call—

Hon Mr Turnbull: On a point of order, Mr Speaker: I would like to seek your guidance. Is "stolen" now a parliamentary word?

The Deputy Speaker: If it causes you some discomfort, I think the member could find a better one.

Mr Marchese: Of course it causes him discomfort. Any word would cause him and his government dis-

comfort. He would want to use the most euphemistic of words. They have taken away \$400 million or they have given less by \$400 million. It is a euphemism for stealing money from the public sector. Of course it causes them discomfort. Will he deny that money was taken from the university? Of course he will deny it, as the minister of post-secondary education does and did, as the Premier does: money siphoned out, sucked away from the public system for corporate tax cuts.

It is insidious. It is obscene. The taxpayers of Ontario know it. Government support declined from \$2.269 billion to \$1.785 billion. It is a drop from 67% to 50% from New Democratic days to Conservative days. There's less money flowing to the system. These people aren't even charitable any more. They're not in the old Davis regime. Poor M. Davis finds himself utterly alone as a Conservative of the past. He doesn't recognize these people. The poor man is ashamed of this political party because it's not reflective at all in terms of the history and the legacy they left for 40 years.

We have an increase in our student population. We will have 190,000 more students by the end of this decade. We need capacity for such a number of students and we don't have it and are not building for it. We are not preparing our structural framework to be able to handle the 190,000 students who will come into our post-secondary education system by the end of this decade. What is this government doing? In a good economy, when they have the money to build, we're not getting the support. We need to expand our capacity to be able to deal with future pressure, yet because of the unprecedented reductions of support by this government, we can't meet the demand. We will not meet the demand when the double cohort comes into place in three years' time. We're not building the structures for it.

So they say, "Ha, it's because of these pressures that we're allowing private universities to enter Ontario." I'm saying to you, if you want to be able to deal with a capacity problem, with an influx of new students, build so our students can fit into our public institutions. But they don't want to do that. They want to give an opportunity to the lobbyists from the US, like Phoenix, to come in here and do the damage they've done in the US. We are allowing the commodification of our education system. It's becoming a commodity now. If you've got money, you can come in and make money out of our education system. Do you understand, taxpayers, what we're dealing with here? This isn't just a simple matter of allowing a private for-profit university and everything is OK. No, it's not like that at all. Once these people are in, they're in for good.

Most of you don't know that the World Trade Organization is an organization that represents 120 or so countries. These are the people who meet somewhere, but not in our parts—in Geneva—and make decisions around world trade for the rest of us. If you, good taxpayer, believe that we are independent as a province and as a country, you are wrong. We have given up our control ever since the North American free trade agreement was

introduced at the federal level, when Mulroney wanted the North American free trade agreement to come in with a promise of prosperity to no end, and since then we had a serious recession in the early 1990s. I thought the Liberals were going to be there to tear up that agreement, but when Chrétien got in there, with Sergio Marchi, man oh man, they became the biggest boosterisms of the North American free trade agreement that I have ever seen. We are alone. There's nobody, no one, at the federal level defending you. You are not electing enough New Democrats to speak for you when it comes to those issues.

The World Trade Organization is functioning on its own with the sanction of the Canadian government, which permits and allows them to do their dirty deeds as they relate to trade. It's a charter for the corporate sector. They are establishing a charter for themselves in order to protect their corporate greed and their corporate interests. That's what the World Trade Organization is all about. It's a frightening organization which attempts to radically restructure the role of government worldwide, subjecting an ever greater degree of governmental decision-making to the World Trade Organization's oversight and interference. We are no longer independent as a government.

To top it all, these negotiations are aimed at expanding the general agreement on trade in services, which they call GATT. No longer is this agreement, like the North American free trade agreement, confined to cross-border trade, but in truth is in many domestic policy areas, including the environment, culture, natural resources, health care, education and social services. Nothing is excluded from their purview. It is no longer trade we're dealing with. We're dealing with services. They are on the table, and these discussions, as they relate to the general agreement on trade and services, are to end in a couple of years, in two years. By that time, everything is on the table, and the Canadian government says even services like education ought to be on the table.

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We're giving it all away. We're losing control. We're losing control over our policy initiatives, over our policy efforts. We are, good people of Ontario, being influenced by the corporate sector in a way that we have never seen. We're dealing with corporate power and its interests that have nothing by way of an ethical culture. Corporate power and money, the barons of Bay Street, are not bound by any ethical culture. They don't worry about who's affected by their decisions, and if there's poverty in this country and if there's poverty in some other countries, it's irrelevant for them, because their motive is to make the pecunia that they want to make. It's all about money. It's not about the public good. It's about corporate good, not the public good. That's what we're debating. We are debating the public good of our public institutions in our post-secondary education versus the private goal of private greed, of private universities whose interest it is to make money.

I said to you last night that our tuition fees here are approximately \$20,000 in the general arts program. Do

you know how many of your children, our children, are working out there in the social service sector making minimum wage, \$7 an hour, some \$8, some \$9 if they're lucky, working anywhere from 10 to 20 to 30 hours a week to make some money to pay for some of the essential things they need, including trying to put some money aside for their tuition fees? Do you know, general taxpayer, that as they work to make those extra dollars, their education is being affected?

Mr Gilchrist is always in the way of the good public watching this program. Mr Gilchrist, you've got to get out of the way there. You're blocking the camera. Speaker, ask Mr Gilchrist to sit down, please.

Interjection.

Mr Marchese: No, it's that one right there. Get out of the way, please. Steve, you're blocking the camera. Speaker, tell him to get out of the way.

I did not want, good people of Ontario, to be blocked from you, from view. I think you have a right to see me, not the head of M. Gilchrist.

I worry about the corporate lobbyists that dominate the debate over public policy. They are the ones who dominate this debate. They are winning the battle of ideas. These are the people with the money, and these politicians, these Conservatives here and the Liberals federally, are the instruments of that corporate agenda, and they dominate the public debate. They have all the major newspapers sell their ideas. That's why tax cuts continue to dominate those newspapers, even though the public said, "Corporate and income tax cuts are not on our agenda." These Tories, the Liberals federally and the corporate lobbyists say, "Tax cuts are the most important thing to us." They dominate public policy.

That's why I urge you union members out there that if you want to do a favour to, not New Democrats, but Ontarians, you need to devote a few of the dollars you have to help create a national newspaper, not for the purposes of advancing unions but for the purposes of offering a critical review, a critical alternative to the kinds of newspapers we see day in and day out. We need an alternative to the National Post and the Globe and Mail that goes national from one wing to the other. We need a newspaper like that because, unless we have it, we can't compete. Our European counterparts, the left parties, have newspapers that speak to the public. It would give you the opportunity to pick one newspaper and say, "Aha, here's a different view. Now I can read something that reflects me or at least challenges the dominant view that is put forth by the Globe and Mail and the National Post and the Toronto Sun here in Toronto."

We need that. We need union support to be able to kick that off the ground, because we don't have wealthy individuals who are willing to put up the money to put together a national newspaper to put a different alternative to the Canadian public.

That's why I appeal to you, ordinary citizens, I appeal to union members, I appeal to union leaders, to put together the money it takes so that we can have, finally, a

national alternative paper that will at least challenge the ideology of this government and the ideology of the federal Liberal government. We desperately need that, otherwise we can't compete; otherwise we are on our own. Otherwise you leave the job to New Democrats to be the conscience of governments and the conscience of the people. I tell you we're getting tired. It's not enough. We are not enough to be able to hold the fort. Some of us are going to get tired and many will retire eventually, and if we are not there to put pressure on this provincial government and the federal Liberal government, you have no one. There's no one left.

I appeal to you to fight against the introduction of private universities whose job it is to protect the interests of the barons of Bay Street and their children, but not your interests as a taxpayer. I appeal to you to call this government and tell them to desist, and for that you need to be actively involved. There's no other way.

Joseph N. Tascona (Barrie-Simcoe-Bradford): I rise today to support the motion for time allocation for the Ministry of Training, Colleges and Universities statute law amendment act, 2000.

This legislation marks the first time in almost 35 years that a government is responding directly to the needs of not only students but all Ontarians by proposing to give them the full range of flexible choices in post-secondary programming that have become commonplace in competing jurisdictions. Students have waited long enough for the choices this legislation would offer them. Let's not make them wait any longer.

This legislation is about preparing our students for the increasingly complex world into which they will graduate and giving them the tools they will need to succeed. We need to move forward to refocus our post-secondary system so that Ontarians have opportunities throughout their lives to gain the skills and expertise they need to reach their full potential. This is true not only for recent high school graduates going on to colleges and universities, but increasingly Ontarians of all ages, many with full-time jobs, also need learning opportunities, available times and places that are convenient for them. This legislation recognizes those realities and would ensure that our post-secondary system is centred on the student.

If passed by the Legislature, this act would allow for the expansion of student choices to include (1) applied degrees at our community colleges, and (2) the expansion of private degree-granting universities in Ontario. I certainly want to focus on the first part, which is applied degrees at our community colleges.

In my riding of Barrie-Simcoe-Bradford, Georgian College is an outstanding institution. Its student enrolment has increased dramatically. It has campuses throughout not only my riding of Simcoe county but also in the district of Muskoka and over into Dufferin county. Also, it's been involved in a number of degree-granting approaches with respect to nursing and teaching and it has foreign campuses in terms of providing its students with opportunities to learn overseas. It has a number of

institutes that are recognized across North America: the automotive institute and the aircraft institute, just to name a few.

I'm very proud to say that Georgian College, which has been blessed by a number of support mechanisms—for example, IBM with respect to their computer training programs that have been invested in Georgian College—is certainly a leading campus, not only in my area but I think throughout Ontario.

Our system here in Ontario has failed to keep pace with innovations in other jurisdictions both nationally and internationally. At the college level, colleges in Alberta have been offering applied degrees since 1995. Universities and colleges in BC and Nova Scotia offer a range, including degrees, diplomas and certificates. Michigan and other states have moved forward with associate degree programs that are two-year programs which prepare students for entry-level positions or offer credit recognition for university transfer.

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There are two broad categories of associate degrees: academic and applied associate. What does that mean for our students? It means they either have to look elsewhere for the balance of academic and applied skills that these programs offer or they have to remain in school longer to earn both a college diploma and a university degree.

At the university level, many US states and Canadian provinces allow private universities to operate side by side with an extremely healthy system of high-quality public universities, including British Columbia, Alberta and New Brunswick. This bill reflects substantial input from stakeholders. They have given us their best advice on how to give Ontario students the choices they want.

As you have heard, even with time allocation there will still be three days of hearings and a clause-by-clause examination of the bill. Why should we make our students wait? Why are we denying them the choices that it appears other jurisdictions have? Our students are able to make informed choices about the type of education program that is best suited to meet their goals. Now it is up to us to give them a wider range of educational experiences from which to choose.

Here in Ontario, we are proud of our publicly funded institutions. We believe they can build on their strong traditions and will continue to be the centrepiece of our post-secondary education system. But more importantly, we believe our students have the right to choose the education that best suits their needs.

Mr Doug Galt (Northumberland): It's a pleasure to speak on Bill 132. This bill is really about having a lot of choice. It's about having options so that students can obtain an education. It's really about addressing lifelong learning. It's about responding to today's needs and today's students' needs. It's about having a choice whether you attend a public or private college or university, and it's about having information from those institutions about their particular success rate. It also defines the Post-secondary Education Quality Assessment Board.

As I sit in the House and listen to the debate, especially coming from across the House, it sort of reminds me of a scenario where the Liberals would go out and cut a whole forest of redwood trees and then mount the stumps and speak about conservation. It's hard to follow where they're coming from and why.

In my opinion, this legislation is long overdue. It gives options to students and caters to their particular needs, and particularly it supports our adult students. As a matter of fact, my wife is taking political science at the University of Toronto and enjoying it thoroughly. She retired three years ago and maybe, just maybe, she'll find out what I and some of the other members in this House do here. That's another example of an adult student going back to school. We need to provide that kind of flexibility for those students. This is an example of lifelong learning and the kind of flexibility that's needed. Historically, it has been very difficult for mature students to go back to school. It's bad enough to have students the age of your children competing with you, let alone not have the kind of flexibility there for you to be able to take advantage of it.

There are tremendous changes in how we obtain our education. I was intrigued to hear the president of Loyalist College in Belleville describe how he had a professor who taught a course from Scotland, who never came to Belleville. He talked to a group of students across Canada and as far south as Florida, who never came to Belleville. They got the course on the Internet and they graduated, no one ever coming to that campus. This is distance education. There's so much that can be done through the Internet.

We have to upgrade our legislation to recognize the changes that have occurred in the universities. Certainly having a monopoly going away back to the 1960s is a long term for universities, and this is certainly upgrading it. It's facilitating this lifelong opportunity for more choice, and it's accelerating the opportunity for students with this changing job market. We have a tremendous number of people who have more than one degree, which is indeed very, very necessary in today's job market.

What we've been observing, and I've heard it many times, is that somebody gets a university degree, and then what happens? They have to go to a community college to obtain the skills to sell themselves in the market. As a matter of fact, I have a young person in my office who got a degree in political science and then it was necessary for him to go to a community college in communications and then, lo and behold, we found him and he came to my office a year ago last summer. He's now permanently with me here in Toronto. That's just another example, but over and over again we get these university degrees, and then we need to get the practical aspect to go out into the labour force and be marketable.

It's this kind of collaboration that's so important between universities and community colleges, to be able to move into the 21st century. It also provides the opportunity for private universities to be present in the province, private colleges as well. These institutions are able

to focus on the needs, have smaller classes and look after the students in a very different way. Through this bill, universities and colleges will be able to respond faster to the new technological era that we're into, and students will become more marketable.

Just to give you some examples of how things have changed: from the time photography was first discovered until it was commercially on the market was 112 years; for the telephone it was 56 years; for the radio it was 35 years; for radar it was 15 years; for TV it was some 12 years; for the atomic bomb, unfortunately, it was six years; and for transistors it was five years. But as an example now, if you develop some computer software, from the time it's invented until it's produced, packaged, marketed and becomes obsolete, can all happen within a period of one year. That's how our markets are changing, particularly in the area of technology, and we have to have the universities and colleges there to be able to handle those kinds of changes. We recognize how quickly things can become obsolete, and we're looking to improve the quality of our educational institutions. We want to ensure that the large publicly funded educational institutions have the ability to be able to catch up with the private sector.

Interjection.

Mr Galt: We have a few others who are kind of keen to get on the record here.

I just wanted to point out a couple of institutions like the DeVry Institute and the Toronto School of Business. Some of what they have been doing demonstrates that there is a gap out there in our post-secondary education system, and certainly they are thriving and providing a very marketable skill.

As we look at what's going on out there, there is no question that we need to have the information for the people who want to go into our secondary institutions: what is there out there for them; do they have the information that they need; what kind of job rates, what kind of graduation rates are really going on in the particular institution that they're looking at going into? It's only fair that they have that information. The OSAP default rate, the graduation rate and the employment rate in particular give them the kind of choice that is desperately needed when they enter into the decision-making process of going to a certain institution.

In conclusion, this legislation is about having an education system in Ontario that's absolutely second to none in the world. It's a post-secondary education where there's more choice about where you can go to an institution and what you may wish to study. It's about lifelong learning, and certainly that's a changing process from what we had many years ago. We'll continue to encourage various financial assistance programs such as the access to opportunities program and the Aiming for the Top scholarship in addition to OSAP. Students will indeed reap the benefits of an education system that allows increased flexibility and choice.

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I can enthusiastically support this bill that's been put forward giving options for education, lifelong learning,

responding to today's needs, providing a choice, whether it's to attend a public or private university or college, providing information on the success of those universities and colleges, and also recognizing having an assessment board that's going to properly look after the quality of education in the province of Ontario for our post-secondary students.

Mr Gilchrist: I'm happy to add a few thoughts and I guess close off debate this afternoon on a very important bill that will lay the foundation for a very necessary evolution in post-secondary education in the province of Ontario.

I'd like to restrict my comments to some of the financial issues that have been raised by the members opposite. It's a shame that we don't have other things to talk about here in response, but again, in their zeal to complain about the fact that this is a time allocation motion and in effect have their fourth day of debate, their fourth day to give input on this bill, there was not one substantive suggestion on how we could improve this bill. There was not one constructive criticism. Instead, we heard nothing but rhetoric, we heard nothing but the same old, same old when it comes to the misinformation and disinformation about what is actually happening in the province.

To hear from the NDP members opposite or even from the Liberal members that there has somehow been a lack of commitment from our government to post-secondary education is utterly fraudulent. The reality is the last year of the NDP mandate they spent \$2.9 billion. This year, we're spending \$3.2 billion. I find it ironic, as we sit here talking about educational issues, that something like that is lost to the members opposite. It's \$300 million more.

More to the point, last year, with the commitment of \$1 billion under the SuperBuild Growth Fund, specifically to post-secondary initiatives, the total spending went to an astronomical level: \$4.6 billion was spent on post-secondary education alone in the province of Ontario. No government before us has come anywhere close to that record. The suggestion that somehow we're not maintaining the standards and keeping up with the other provinces is also completely untrue. In Ontario the average post-secondary student is getting \$147 more in government support than the Canadian average.

I mentioned we've spent more than any government previously. The fact of the matter is we're spending it more wisely as well. In the past, far too often the funds were just transferred without any particular vision, without any particular direction. But we have challenged the research sector, we have challenged science and technology departments. We have dramatically increased the number of spaces in those programs that are likely to be the best contributors to the future growth of our economy and the economy of North America. We have made commitments to the community colleges and to the universities that speak to a visionary approach to post-secondary education. We cannot be stuck in the 1950s and 1960s. We must look at the technologies; we must look at the jobs of the 21st century. I believe our min-

isters have done a very good job of doing that when they allocated the funds.

Also lost in the discussion here is the fact that last year we contributed \$250 million in the Ontario innovation fund. This year it's growing to \$500 million. We have the Premier's Research Excellence Awards, where we're going out and actually saying, in some cases for the first time in some of these colleges, "Congratulations for the extraordinary work you're doing. Congratulations for the research innovations. Congratulations for the technological breakthroughs that are occurring in our colleges and universities." People are being congratulated and they're being financially rewarded for that success.

The reality is that in an objective third party analysis—the Maclean's survey—once again this year Ontario had three of the top five medical and doctoral universities and three of the top five comprehensive universities. I would remind you, at 60% of the best universities, we have one third of the country's population. In other words, we are scoring twice as well as you would expect based on population.

The savings that we have achieved by encouraging universities to find efficiencies in their general administration and their program delivery have been more than offset by these other grants, by these other very specific and targeted funds. That's the tip of the iceberg. The bottom line is that our government is going to spend even more money in years to come on these areas, but more to the point, we believe it is appropriate to open up the post-secondary level to competition. It is staggering to me, when I hear members like the member for Kingston and the Islands belittle this bill and suggest it's inappropriate, yet the university in his riding, my alma mater, Queen's University, was the very first to have an MBA program totally removed from any government support. It is a privatized program and it occurred with the support of the opposition parties and in their term. The bottom line is it has been copied by many other universities across Ontario and, as you are well aware, it is oversubscribed every year. To those who suggest that that has encouraged an elitism or restricted access, let me suggest to you that right next door to us, at the University of Toronto, you can take an executive MBA at something over \$25,000 a year if you want to fast-track, or you can continue to pay about \$4,000 a year for the regular two-year MBA program. The fact of the matter is it's just as accessible to get a baccalaureate or a master's or doctoral degree in the province of Ontario.

What we're doing will encourage even greater access. I haven't heard anybody on the opposite side suggest that Harvard or Yale or any of the other great American private institutions are not worthy of the fame and the recognition they have earned. But somehow the suggestion is if they were located on Ontario soil, it would besmirch our post-secondary system, it would somehow beggar it. The systems can not only exist together, it will make for a better and more qualified, more comprehensive post-secondary system in the province of Ontario.

The Deputy Speaker: The time allocated for debate is completed.

Mrs Cunningham has moved government notice of motion number 69. Is it the pleasure of the House that the motion carry? Carried.

ADJOURNMENT DEBATE

The Deputy Speaker (Mr Michael A. Brown): Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been put. The member for Thunder Bay-Atikokan has given notice of dissatisfaction with the answer to a question given yesterday, I believe, by the Minister of Health. The member has up to five minutes to debate the matter and the minister or parliamentary assistant may reply for up to five minutes.

EMERGENCY SERVICES

Mrs Lyn McLeod (Thunder Bay-Atikokan): In fact I tabled my dissatisfaction with an answer given by the Minister of Health last Thursday afternoon. I would ask that the House remember that that was the afternoon on which the Minister of Health had made an announcement describing the new, renovated, expanded St Michael's Hospital emergency room. This expansion, of course, was to compensate for the fact that the minister had just earlier shut down the Wellesley Hospital's emergency room. Our concern was that when the Wellesley Hospital was shut down, we would lose another emergency room, we would lose capacity to deal with emergency patients at a time when our emergency rooms are already in a crisis.

The minister was obviously concerned about the same issue, because a press release makes a point of saying that the new St Michael's Hospital emergency department will accommodate 60,000 visits a year, 23,000 visits more than the old facility at St Michael's and the Wellesley Hospital combined. If that were in fact the case, then our concerns would certainly be alleviated, because if it was going to have 23,000 more visits than the two sites combined, we wouldn't have as many concerns, perhaps, about the closure of the Wellesley Hospital site.

Before the afternoon was out, we were able to determine that in fact these figures simply could not be correct because the Wellesley emergency department was actually accommodating 33,000 visits per year prior to its closure just on that site alone. The combined number of visits between the Wellesley site and the St Michael's site last year was 64,000 visits. So we knew that this press release had to be wrong. You couldn't have 60,000 visits total and claim it was 23,000 visits more than the two sites combined when the two sites combined had been seeing 64,000 patients per year.

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I asked that question with verified facts. The minister continued to respond that this press release that said it

was 23,000 more visits was in fact accurate. On Monday, yesterday, my leader asked the same question. The minister continued to stand by the press release.

It wasn't until after the legislative session was over and our opportunity to ask questions in a public forum had ended that the media were able to elicit from the minister a correct figure. The minister, in the hallway, said, "Well, it's a case of the 23,000 refers to the anticipated number of patients that might have been seen at Wellesley this year. As you know, over the past number of years the number of"—da da da da da.

She's asked, "Does that mean there won't be 23,000 more patients that will be seen at St Mike's?"

"That's right," said the minister. "There will be 23,000 additional patients, but they are the patients that normally have been seen at the Wellesley site this year."

In fact, we still have concerns about errors because we know that the Wellesley site last year saw 33,000 people. So even the 23,000 addition to the St Michael's site is not going to cover what was lost at Wellesley.

I guess my frustration is that we would continue to get inaccurate information provided by the Ministry of Health and that this is not the first time we've seen this.

Why does it matter? It matters because this kind of information, which is not based on accurate figures, is being presented in order to camouflage the reality of what's going on in our emergency departments, in order to avoid dealing with the reality. Our emergency departments have a higher incidence of critical care bypass, redirect, telling ambulances there's no room for them in that emergency department than has ever been seen before. It is, in the first five months of 2000, higher than at any previous time. Our ambulance response times are increasing.

The minister made an announcement about the funding that was going to go into emergency rooms just last month and she talked about the fact that this new, additional program, an alternate payment plan, was going to be one of the solutions to the emergency room crisis. What she didn't acknowledge was that hospitals would each have to come up with \$90,000 out of their global budget in order to access those funds. We've seen just recently a \$2.5-billion error.

My concern is, really, that when the minister makes statements to the public in press releases, those statements should be accurate. They should not be a way of camouflaging what is really going on. It shouldn't be a way of trying to hide from the public and trying to reassure the public that things are getting better, that things are going to be better, that the government's acting, when in fact they are presenting the public with information that is not factual.

I think the Ministry of Health has shown that it follows its government's own lead, because they are more concerned about public relations statements than they are about responding to real concerns. They're more concerned about spin than they are about accuracy. They're more concerned about camouflage than openness. We need openness.

The Deputy Speaker (Mr Michael A. Brown): Response?

Mr Bob Wood (London West): The transfer of the Wellesley site emergency department to the newly expanded and renovated emergency department at St Michael's Hospital, Bond Street site, on October 1, 2000, provides enhanced facilities and improved access to emergency services in the downtown core. According to St Michael's Hospital, the newly expanded emergency department has a capacity of 47 stretchers. The new emergency department expects 65,000 visits this year. The new emergency department will be able to accommodate the approximately 23,000 people who would have used the old emergency department at the Wellesley site.

This relocation of emergency services was done in accordance with the directions of the Health Services Restructuring Commission. The cost of the project was \$6.4 million. The government's share was \$4.5 million; the hospital raised the remaining share.

It is the ministry's understanding that the relocation of the Wellesley site emergency department went smoothly, with no incidents. Any patients arriving at the Wellesley site emergency department after October 1, 2000, are being redirected appropriately to St Michael's Hospital, the Bond Street site. Patient volumes, including ambulance visits, at the Bond Street site emergency department have increased with the transfer of the Wellesley site emergency department.

The ministry continues to work closely with St Michael's Hospital and other stakeholders to ensure that emergency department services are fully available and that the community's needs are met. St Michael's Hospital has allocated 35 additional acute beds and \$3.85 million in annual operating funds under the government's emergency services strategy. In addition, the minister recognized the need for four additional ICU beds to provide backup to the medical units and the emergency department. The government will provide \$1.6 million in operating funds annually to support four additional ICU beds. The funding provided to St Michael's Hospital is part of the government's emergency services strategy. Under this plan, \$46.5 million is being provided for 543 additional permanent beds in Toronto and 210 transitional beds in the GTA area until permanent growth beds are implemented.

Also, \$16.8 million is being provided to expand key elements of the 10-point plan from last December across the province. This includes 450 flex beds to be operational for four months to help address pressures in the emergency department, along with 100 additional discharge planners and six regional ER co-ordinators. A \$38-million flu vaccination program is being offered to the entire population to help Ontarians avoid getting the flu.

A new plan that will help to ensure around-the-clock access to doctors and emergency rooms at 55 of Ontario's largest hospitals was recently announced. This builds upon funding arrangements that were first made available to small hospitals in July 1999 and to mid-sized

hospitals in December 1999. All of the 143 hospitals in Ontario with an emergency room can now access this new program.

As part of the government's recent \$471-million investment to support hospital services in Ontario, St Michael's Hospital received \$6,790,626. This \$471-million investment brings hospital funding to \$8.1 billion for 2000-01, the most money ever invested in hospitals in the province's history. The government has now increased hospital funding by more than \$660 million

this year. In June the government announced a total of \$168 million of new funding for all hospitals and followed that in October with \$22 million for hospitals that provide dialysis services.

The Deputy Speaker: There being no further matters before the House, this House stands adjourned until 6:45.

The House adjourned at 1757.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	Bountrogianni, Marie (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton West / -Ouest	Christopherson, David (ND)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Beaches-East York	Lankin, Frances (ND)	Huron-Bruce	Johns, Hon / L'hon Helen (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)		
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)		
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Tourism / ministre du Tourisme	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
	Martiniuk, Gerry (PC)	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Cambridge	Hoy, Pat (L)		
Chatham-Kent Essex	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Davenport	Caplan, David (L)	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Don Valley East / -Est	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports		
Don Valley West / -Ouest	Tilson, David (PC)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Dufferin-Peel- Wellington-Grey			
Durham	O'Toole, John R. (PC)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglinton-Lawrence	Colle, Mike (L)		
Elgin-Middlesex-London	Peters, Steve (L)	London West / -Ouest	Wood, Bob (PC)
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	London-Fanshawe	Mazzilli, Frank (PC)
Essex	Crozier, Bruce (L)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)	Mississauga East / -Est	DeFaria, Carl (PC)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		
Hamilton East / -Est	Agostino, Dominic (L)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est Scarborough Southwest / -Sud-Ouest	Gilchrist, Steve (PC) Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt Scarborough-Rouge River	Phillips, Gerry (L) Curling, Alvin (L)
Niagara Falls	Maves, Bart (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nickel Belt	Martel, Shelley (ND)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	St Catharines St Paul's	Bradley, James J. (L) Bryant, Michael (L)
Northumberland	Galt, Doug (PC)	Stoney Creek	Clark, Brad (PC)
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	Sudbury	Bartolucci, Rick (L)
Oshawa	Ouellette, Jerry J. (PC)	Thornhill	Molinari, Tina R. (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Orléans	Coburn, Brian (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa-Vanier	Boyer, Claudette (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Toronto-Danforth	Churley, Marilyn (ND)
Parkdale-High Park	Kennedy, Gerard (L)	Trinity-Spadina	Marchese, Rosario (ND)
Parry Sound-Muskoka	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Vaughan-King-Aurora	Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Perth-Middlesex	Johnson, Bert (PC)	Waterloo-Wellington	Arnott, Ted (PC)
Peterborough	Stewart, R. Gary (PC)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation	Willowdale	Young, David (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Windsor-St Clair	Duncan, Dwight (L)
Sarnia-Lambton	Di Cocco, Caroline (L)	York Centre / -Centre	Kwinter, Monte (L)
Sault Ste Marie	Martin, Tony (ND)	York North / -Nord	Munro, Julia (PC)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 98B

N° 98B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 31 October 2000

Mardi 31 octobre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 31 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 31 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

McMICHAEL CANADIAN ART COLLECTION AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LA COLLECTION McMICHAEL D'ART CANADIEN

Mrs Johns moved third reading of the following bill:

Bill 112, An Act to amend the McMichael Canadian Art Collection Act / *Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.*

The Deputy Speaker (Mr Michael A. Brown): Mrs Johns has moved third reading of Bill 112. Minister.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Mr Speaker, I believe we have unanimous consent for the debate this evening to be divided equally among the three caucuses and that the question on the motion be put at the end of the evening.

The Deputy Speaker: Is it agreed? Agreed.

Hon Mrs Johns: With third reading and final passage of Bill 112, if accepted by the House, we will get on with the job of restoring the McMichael Canadian Art Collection to financial stability. It's time to end the controversy that has crippled this unique institution for far too many years. It's time for the Legislature to keep faith with an agreement that the Ontario government made in 1965, an agreement that entrusted the province with the preservation and care of an important chapter in Canada's cultural history. That is why this government introduced the McMichael Canadian Art Collection Amendment Act, 2000, in June.

Bill 112 seeks to restore the intent of the original mandate that created the McMichael Canadian Art Collection and to bring the collection back to financial health and prosperity. When the gallery's financial problems became obvious, we ordered an audit, and that happened last April. The independent review that was conducted found a shortfall in excess of \$2.1 million, the result of poor fiscal management, high fundraising costs, dwindling corporate sponsorship, weak project management, high staff levels and a lack of a formal budget process. The government has already taken action to

address some of these issues, and now it's time to move on.

The bill would give the McMichael a clear direction for the future. It would provide a framework for sound fiscal management and it would create a stable environment where artistic excellence could thrive.

In the debate of the last few weeks, we've heard a lot of misinformation but also some legitimate concerns. To those we have listened, and we have acted upon those concerns with amendments, such things as the role of the curators and defining the collection as Canadian rather than Ontario-only art.

Let me deal for a moment with some of the falsehoods about this bill, starting with the statement that the bill is about returning control of the collection to the McMichaels. This is not true. The collection will continue to be managed by the board of trustees under the very capable leadership of the newly appointed chair, Mr David Braley.

We've heard that the legislation—

Mr John Gerretsen (Kingston and the Islands): On a point of order, Mr Speaker: I heard the minister say "falsehoods." Is that parliamentary language or not?

The Deputy Speaker: It may be a poor choice of words, but I think it's in order.

Hon Mrs Johns: I would suggest that the member take time and listen, because I know he has some things he's concerned about in the bill at this time.

Interjections.

The Deputy Speaker: Order. The member for Kingston and the Islands on a point of order.

Mr Gerretsen: Before the minister starts making accusations, she should stick to the facts. I was at three days of hearings that took place within committee. I was at committee for—

The Deputy Speaker: That's not a point of order.

Mr Gerretsen: I've listened to enough.

The Deputy Speaker: That's not a point of order. Minister.

Mr Gerretsen: Maybe the minister should have been there—

The Deputy Speaker: Sit down.

Hon Mrs Johns: Let me say, Mr Speaker, that I was at the hearings too, and all the debates on second reading, so it's a good thing we all heard all of the information.

I was at a number of the hearings as we heard people from all across the province come and talk about the McMichaels. We have all heard some wonderful things, and it was headed, I have to say, by Pierre Berton, who

thought we should continue on the track that this government has decided upon.

We've heard by other people that the legislation would cause chaos in the art world—even though Pierre Berton thought it was a good way to proceed—by requiring the gallery to divest itself of thousands of artworks. Again, this is just not true. There will be no fire sale. Bill 112 would establish an art advisory committee to make recommendations to the board about the gallery's acquisitions and disposal policies.

1850

I and my colleagues on this side have every confidence that the board has the expertise and the experience to decide the future of the collection in a manner that is responsible and sensitive to the concerns of the Canadian art community. The board would be responsible to the government, which is responsible in turn to this Legislature and, through it, to the people of the province of Ontario. New chair David Braley will work with the board to restore the integrity of the collection, strengthen its fundraising capacity and attract new sponsors.

We've heard that the curators and other professionals involved with the gallery will no longer have a role to play under this bill. Let me tell you, again this is just not true. Membership in committees at the gallery is open both to volunteers and staff. Their involvement is something we value, and upon hearing this criticism we proposed an amendment to the act which would make explicit in law their right to sit on committees. That change is incorporated into the bill we see before us at the moment.

We've also heard that the bill would give the government the power to interfere in the operation of not only the McMichael but galleries and museums all across this wonderful province. Again, this is not true, not even remotely true. The legislation is specific to the situation at the McMichael, a public institution supported by taxpayer dollars for which the government is accountable.

We are faced with a deficit of around \$2.1 billion and an auditor's report detailing the gallery's considerable financial difficulties. To not take assertive action—

Mr Gerretsen: On a point of order, Mr Speaker: The minister may wish to correct herself. She says there's a deficit of \$2.1 billion. I'm sure she meant \$2.1 million.

Hon Mrs Johns: Thank you very much. I appreciate that, although I do find it annoying that you interrupt all the time, I have to tell you that. But I do appreciate that.

To not take assertive action would not be reasonable for this government. We have a duty to protect the public interest.

Laughter.

Hon Mrs Johns: I know you find it amusing. I'm glad I'm causing a great deal of fun on Halloween night. I really wish you would take this bill seriously. It's a very important bill.

Mr Gerretsen: On a point of order, Mr Speaker: What I find amusing is that the minister would think that \$2.1 billion is—

The Deputy Speaker: That's not a point of order. Minister?

Hon Mrs Johns: Are we sure he's finished? Only if he's finished, Mr Speaker. I'd prefer to let him rant and then I could speak after.

To not take assertive action would be a problem for the government, and our duty here is to protect the public interest. We've heard that the legislation would somehow betray the generosity of donors who have given works of art to the gallery under the new mandate created in 1989.

I have to ask today, what about the people who made the original donation, Robert and Signe McMichael? Hasn't their generosity been betrayed? What gave the 1989 Liberal government the right to change the rules of the game back then, all the while pretending that nothing had changed? It's just not right.

Thirty-five years ago, the McMichaels gave the province a tremendous gift, and they gave that gift to the people of Ontario. It included 194 works by the Group of Seven and their contemporaries, plus their home and the beautiful property on which it sits. The intent was to create a permanent address for the collection. Because of their generous gift, millions of Canadians and visitors from all around the world have had the chance to experience the work of these great artists in a location that truly honours their memory.

Attendance has dropped in recent years. Bill 112 is one necessary element in reversing this horrible trend.

Without the McMichaels' vision and foresight, without their dedication to an extraordinary school of art that has become synonymous with Canadians' coming of age, we would not be discussing the McMichael Canadian Art Collection today; there would be no collection at all to discuss.

Bill 112 is about righting a wrong. It's about restoring the spirit of an agreement that was entered into with good intentions and then betrayed. It's about putting the McMichael collection back on a firm financial footing.

Years of debate about the gallery, years of rehashing the past and pointing fingers at everybody and blaming everybody, have to stop. They have only served to take us further and further away from the truth.

It's time to move forward, it's time to focus on the future, and it's time to let the McMichael Canadian Art Collection do what it was originally intended to do: serve the people of Ontario. It's time to act.

The Deputy Speaker: Further debate?

Ms Caroline Di Cocco (Sarnia-Lambton): I have to start off by staying first of all that this bill is called draconian. I've heard that from many of the speakers who made presentations at the committee. Many of the presenters, like the Canadian Museums Association, the Ontario Art Galleries Association, the Ontario Museums Association and experts in their field, disagree very strongly, actually overwhelmingly disagree, with the minister and with the Harris government.

This bill is a breach of trust to the people of Ontario. It is a breach of trust to the hundreds of donors who have donated to the gallery. And we've heard from the donors,

who have said they are going to start to take legal action because of the actions of this government. It is the worst possible type of abuse of power in respect to art and art galleries. It undermines the integrity of the arm's-length relationship in regard to government and it will have a negative financial impact on the gallery. This bill is the worst possible example of government interference with a crown agency in order to appease individuals and of the Harris government's arrogant disregard for the interests of the taxpayers of this province. I will attempt to put on the record overwhelming evidence to substantiate these statements.

The Harris government and Minister Johns argue that this is about keeping and restoring the gallery to its original mandate. This is misleading and totally incorrect. The gallery has kept the mandate as spelled out in 1965, which was to "establish, develop and maintain in perpetuity at Tapawingo a collection of art reflecting the cultural heritage of Canada...." It goes on to say that "the said collection shall be known as the McMichael Conservation Collection of Art and shall be comprised of paintings by"—and it names the artists—"and other artists as designated by the advisory committee who have made contributions to the development of Canadian art."

1900

This spirit of the original agreement has never been changed, and I need not argue this point because the Ontario Court of Appeal gave its judgment on this matter in 1997. I will quote from the summary of the Court of Appeal decision of November 20, 1997, but of course justice and the law mean nothing, it seems to me, to the Harris government on the other side. This is what the Court of Appeal decision stated in 1997:

"In 1965, the McMichaels agreed to donate their art collection to the province of Ontario. The agreement provided for an advisory committee which included the McMichaels. In 1972, the collection was assigned to a crown corporation and the McMichael Canadian Art Collection Act was enacted. The advisory committee was replaced by a board of trustees. The McMichaels applied for a declaration that the 1965 agreement was in full force and effect, notwithstanding the 1972 act and amendments thereto. The McMichaels also sought declarations respecting breaches of the agreement. The Ontario Court of Appeal, with Finlayson, J.A., dissenting, allowed the appeal. They set aside the decision of the General Division and dismissed the McMichaels' application. The court dismissed the cross-appeal, holding that the McMichaels had contracted out any right of control over the collection."

Let me make this very clear: this bill is about restoring undue control to Robert McMichael. In actual fact, this bill is circumventing the ruling of the Ontario Court of Appeal that went in favour of this same government. Mike Harris and Ms Johns have decided they don't like the court decision, so all they have to do is bring in legislation to go around it and fix things for their friends. This is what they're doing: they're changing the governance here, and therefore there's undue control to two individuals.

It has nothing to do with financial accountability, because when I was in committee I put in an amendment to ask the board to appoint a financial advisory committee, and I was told, "You don't have to have legislation to have that. We can deal with the financial issues." That's what I was told.

What this bill does is return undue control to Mr and Mrs Robert McMichael by changing the way decisions are made. It is now my view, after studying all the evidence in this matter, that Mr McMichael has held this gallery and this province almost hostage by propagating this myth of generosity and claiming they've been victimized. They have been well compensated, over and over again, for their gift. I do not understand why the government is doing this. But I will speak against this bill as a last attempt to try to change the mind of the Minister of Culture to withdraw this stupid bill—it makes no sense—that is already causing huge damage to the artistic integrity of our cultural institutions.

Let's truly look at the facts regarding management issues at this gallery. The government claims this bill will return the gallery to its original mandate. That claim is based on the assumption that the original mandate had been compromised. So what has changed? What actually changed was the role of Robert McMichael and his control of which artists and what art was purchased the gallery.

During the hearings, I heard Mr McMichael, who had been generously compensated over and over again by the Robarts and Davis governments for the donation to the province. Mr McMichael stated that the gallery had great management under his control. So I took it upon myself to understand exactly what the legacy of his management was. I will tell you, what I have discovered is astounding. Totally unacceptable practices were used.

This has come to my attention. It's a draft of an auditor's report, the report on the audit of the McMichael Canadian Collection for the year ending March 31, 1980. I will read from this report, because I think there are many, many items here that are going to prove what the real management style was of Robert McMichael.

"In accordance with section 15 of the McMichael Canadian Collection Act, 1972, an audit of the accounts and financial transactions of the McMichael Canadian Collection has been completed for the year ending March 31, 1980.

"Establishment and objects of the corporation: The McMichael Canadian Collection Act, 1972, came into force on April 2, 1973. This act established the McMichael Canadian Collection as a corporation without share capital, consisting of from five to nine trustees appointed by the Lieutenant Governor in Council. As at March 31, 1980, nine trustees had been appointed.

"The McMichael Canadian Collection began as a private collection of Canadian art"—again, this is the auditor's statement here—"which on November 18, 1965, by agreement with the province of Ontario, was donated to the crown. Prior to the establishment of the corporation, the collection was administered by the

Metropolitan Toronto and Regional Conservation Authority.

"The objects of the corporation, as outlined in section 6 of the act, include the operation of the McMichael Canadian Collection as an exhibit for the benefit of the public and the preservation of lands as a permanent site for a public gallery and related facilities for the collection."

That sets the backdrop of what the auditor sees the McMichael gallery as.

We now have, on page 2, "Valuation of Works of Art." There is a protocol when one is evaluating artwork, and here is what it says:

"Our review of the appraisal practice of the corporation revealed an instance where the appraisal of donated artifacts was influenced to show the value of the donation at approximately one half of fair market value." It goes on to specifically state that it was an Indian artifact that was received in October 1978 and was appraised at \$35,000, but Mr McMichael wrote a letter to the appraiser saying, "Bring that down as low as you can." He actually influenced the appraiser, and I've got his letter.

"Apart from the ethics"—

Hon Cameron Jackson (Minister of Tourism): Do you want to say that outside of here?

Ms Di Cocco: Absolutely.

"Apart from the ethics of improper valuation of donated artifacts, in our opinion, the valuation of the corporation's works of art as shown in note 3 to the financial statements is questionable since this incident indicates that at least some of the independent appraisers used by the corporation" were unduly influenced.

You have in here as well "Unreported Taxable Benefits."

"The corporation is not adhering to the income tax regulation which requires the employer to report the value of the benefit derived from personal use of the employer's automobile and from lodging.

"We recommend that in future the corporation include such benefits on the employee's T4 slip...."

It goes on to say, "Director's Expenses: The corporation pays all fees and dining room charges related to the director's membership in a country club. Although we have been informed that all expenses incurred, approximately \$800 in the past year, are for business purposes only, the authorization for payment of individual invoices did not indicate the nature of the expenses...."

"The housekeeping staff of the corporation provide personal housekeeping services for the director at a cost estimated to be approximately \$4,000 per year. Such services are not provided for in the deed of gift dated November 18, 1965, or in the McMichael Canadian Collection Act, 1972.

"We recommend that in the future no personal housekeeping services be undertaken by corporation employees."

1910

I find this appalling because this is a crown corporation entrusted to the government, which is there to make

sure the public trust is protected. I can say to you that this record indicates that was not the case, and you're going right back and putting it again into the hands of people who have this background. They shouldn't even be on there.

"We noted that the internal audit branch of the Ministry of Culture and Recreation"—

Interjections.

Ms Di Cocco: Oh, absolutely. It's too bad you guys don't—

The Deputy Speaker: Order.

Ms Di Cocco: "Works of Art on Loan"—this is fact. "The corporation receives from time to time donations of works of art. The corporation acquires full title of these works of art and the donor receives an income tax receipt for the assessed value of the donation. In some cases, the works of art are loaned back to the original donors for an indefinite period. We observed that no formal loan agreements exist for these loans." That means people would donate and then they could have it back in their houses and nobody would know for how long and what exactly was there. It says here, "To ensure proper safeguard of the corporation's properties, we recommend that a formal loan agreement outlining the terms and responsibilities of the respective parties be signed...."

This is just the general. I haven't got to the specifics yet.

"In the past fiscal year the corporation sold 12 works of art for approximately \$24,600. The selling price was determined by the director and the sales were made to employees of the corporation, employees of a ministry, and other persons."

There is a way to sell pieces of art, and it is not personally. You sell it through public auction. That's the proper protocol.

If you want to talk about an agreement, I have the 1965 agreement. While Mr McMichael was selling art, the agreement, as I found on page 5, section 17, says that no work of art shall be included in the gallery unless such inclusion is approved by the advisory committee. It goes on to say that "any work of art included in the collection after such approval shall thenceforth remain a permanent part of the collection and shall not be sold, traded or otherwise disposed of by the crown without the written consent of the donor thereof." This is the original agreement. I would like to know, when the works of art were being sold, if somebody was abiding by the original agreement.

I want to take a look at another section. I want to explain the lack of ethics, if not fraudulent use of his position as director in 1970. Mr McMichael went to British Columbia to purchase a work for the McMichael Conservation Collection of Art, now owned by the province of Ontario. Mr McMichael was not buying for his own personal collection. The bill of sale was dated August 27, 1970. The vendor was Joe Seaweed; the purchaser, the McMichael Conservation Collection of Art, owned by the province of Ontario. The sale price was \$1,500. It included a band council resolution endorsing the sale.

You want to talk about fiscal accountability, and I'm telling you where it was at under the direction of individuals who now have undue control again. What happens here? The observations by the auditor: it was a straightforward document. The vendor and the band council "both clearly intended to convey the artifact for sale to the museum." It goes on to state how much money the McMichael collection paid to Mr McMichael for his travel to British Columbia, which was \$3,220.65. Mr McMichael bought the totem pole with his own money and then he turned around and he donated it to the gallery and he got a tax benefit of \$16,500.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): Oh, call the police.

Ms Di Cocco: I think there is probably enough cause to do just that. All I know is that, to me, it is appalling and it is unethical.

Hon Mr Jackson: It sounds like the horrors of Jane Stewart.

Ms Di Cocco: No, it sounds like a bad way to conduct business.

The Deputy Speaker: Order.

Ms Di Cocco: At least there are some standards that you should abide by when it comes to your responsibility to protect the interests of the public.

It goes on to say again that there was "substantial personal gain" and that the "board minutes do not indicate disclosure by the McMichaels of the substance and nature of the transactions...." There are some more observations; they call them "ethical/legal implications": insider trading, conflict of interest, position of the McMichaels vis-à-vis the initial transaction, the legitimacy of the donation for income tax purposes.

I cannot believe what I read in this report, and I can't believe the government will not actually even take a look at it. It's got credibility. It is the auditor. The auditor is here to protect the interests of the people of Ontario. He's the watchdog when it comes to the management practices of crown corporations such as the McMichael gallery, and he sent out all kinds of red flags here. I sent a copy of this to the minister. I was hoping the minister would have acted and withdrawn this bill. Instead, they deny, deny, deny.

Again, I think the public should know, because this is a crown corporation. It is not a private gallery. It was treated like a private gallery except that it was paid for with taxpayers' dollars, and I am offended by that. That is not what we, as legislators, are here to do. We're not here to protect the interests of two individuals at a cost to millions of taxpayers.

Again, we have here something that is amazing, and the auditor stated this: "The McMichaels have repeatedly claimed not to have received tax benefit from their original gift. Document 2 indicates otherwise." There are other examples—this gets worse—of a number of donations whereby they were not properly catalogued and then they were donated back by the McMichaels, but it was not theirs to donate back. Again, I don't understand.

It says here, "The McMichaels, by all appearances, removed the two most valuable sketches of the Jackson gift, and then added them to their list of personally owned art objects." That, to me, is not right. This bill puts the McMichaels back on the board and an advisory committee back on just like it was in 1965.

Again, it seems to me that Mike Harris and Helen Johns and her colleagues are determined to protect Mr Robert McMichael's interest in the gallery and not the people of Ontario or other donors of the gallery. This bill boggles the mind. The government members heard expert witnesses.

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Hon Mr Baird: Pierre Berton.

Ms Di Cocco: Pierre Berton is not an expert witness.

Interjections.

Ms Di Cocco: That's fine; you use Pierre Berton. What about the business association from Kleinburg? What about Dr Gerta Moray, the associate professor of art history at the University of Guelph? What about John Challinor II, who is the manager in corporate public relations to Compaq Canada Inc? What about Donald G. Lake? I have tons, literally a pile. Michael Burns. These are expert witnesses who came before the committee, and the difference between the experts—

Mrs Marie Bountrogianni (Hamilton Mountain): Did you hear any of the presentations?

Ms Di Cocco: Exactly. Did you hear some of the presentations? You don't want to hear the fact that we've got a problem in the management from 1965 to 1980, because two months after this report came down, the McMichaels resigned. They were told by cabinet to resign. You're putting them back into the driver's seat again.

Do you know what Joan Goldfarb, the former head of the McMichael, said? She said that if the gallery is sending you out to scout something and they're paying your way, then you're working for the gallery and you can't purchase it personally. Do you understand ethics? I don't think you do.

The Ontario Association of Art Galleries is an umbrella group of many, many art galleries and organizations around this province. What do they say? "[Even] the work of the Group of Seven seems to be mocked in some way by the current bill, when it says that the McMichaels' goal was to reflect the beauty of Ontario in the first half of the century...."

The Ontario Museum Association says, "There is no evidence that returning the mandate to the original focus on the Group of Seven and their contemporaries will help the McMichael to overcome its deficit. On the contrary, the whole direction of international museum practice at present is to develop exhibitions that relate art history to the present day."

These are professionals. They have with them a whole history of running museums and art galleries. They're umbrella groups. They're committed to this work. Not one of them has come on board with you on this bill.

You have the Royal Canadian Academy of Art: "The current mandate of the McMichael gallery allows it to

fulfill its proper function. Don't change it. Leave it alone and support the gallery with the public funds it deserves." "The very reason for the existence of a cultural institution is to challenge the public and move it to new understandings, not to make us comfortable and to confirm what we already know."

We have here from the Ontario Museum Association, again, about the way you have now changed the governance of the board: the bill "sets a precedent of placing donors on the boards of institutions and gives them direct control of the cultural content of the institution." Thus, "the government may be inviting future difficulties" in other institutions. "This role for donors does not accord with international practices."

There is a code of conduct, a code of protocol in place if you want to have credibility in the art community in this province, in Canada and internationally. You are changing that.

There's also another aspect, and it has to do with functions. Again, this is a comment from the Ontario Museum Association: the establishment of a non-professional art advisory committee having direct responsibility for acquisitions, deaccessioning exhibitions and display "is completely opposed to professional practice elsewhere.... Museum curators and directors of the stature that the McMichael requires will not be attracted to an institution in which collection development and exhibitions are in the hands of non-professionals. Nor will other museums be attracted to lend ... works or exhibitions to such an institution.... They will expect decision-making to be done by professionals of equivalent stature to themselves."

Do you understand this? Obviously, by introducing this bill you have no understanding. You're saying you're going to restore to the original mandate. No, you're not. The original mandate was never really broken. All you're doing is changing the way it's structured so that you can appease two individuals because they have the ear of the Premier. The Premier and Helen Johns didn't talk to the board of directors; they didn't talk to the professionals across this province. There was no consultation to bring in this bill. The only consultation was with two individuals. How dare you return, change the governance model that all the experts are saying is not even according to international standards? How dare you?

"The proposed disposal of collections, or deaccessioning, as it's called in the museum field, is a highly challenging process."

Interjections.

The Deputy Speaker: Minister.

Ms Di Cocco: All I know is this: if you want to talk about the personal friends of the McMichaels who came to make presentations at the committee and you want to disregard objective experts who overwhelmingly oppose this bill, you're going to pay the price. You're going to pay the price in the art world; you're going to pay the price in maintaining credibility in this province.

I cannot believe, I'm always amazed, with all this evidence that is here—I just don't know why this

government is doing this, because it makes no sense. You say you have common sense. You have none here.

Bill 112, again, "to return to the spirit of its original focus"—I'm going to tell you again, what about the Court of Appeal ruling that stated that the spirit was kept but that the McMichaels were upset with their lack of control? They said it in the ruling.

This bill has been introduced—again I'm going to say this—not to deal with fiscal accountability. There is nothing in this bill that deals with fiscal accountability. It gives control to five people, but there's nothing in there. I looked, and there's nothing about fiscal accountability, so I do not buy that line. This bill has been introduced not to deal with fiscal accountability, and it's abundantly clear to me that this bill has been customized to the personal whims of Premier Harris and Robert McMichael. I would suggest that Minister Johns and Mike Harris tread cautiously, because this bill restores to two individuals undue control of an art gallery that belongs to the people of Ontario.

As you have been made aware, there is an audit draft—and I read from it—that clearly shows unethical, possibly fraudulent practices from when Robert McMichael was director, misrepresenting his position for self-interest. Why have you brought in this bill to circumvent an Ontario Court of Appeal decision that went in your favour? I don't understand this. It was your government that went to the Court of Appeal. You won the case. You brought in the bill to say, "We didn't like that. We didn't like winning in 1997."

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There has been much discussion about the best practices of governance of museums and art galleries, and you've heard it, but you don't want to listen. You've set your own rules and the government is going to micro-manage this gallery, and by this you are going to hurt the art community. You're going to do irreparable damage to this gallery.

Minister Johns drafted this bill without consultation with anybody except the McMichaels. This bill is wrong. This bill is bad policy. It undermines the integrity of cultural institutions which have an internationally recognized standard of governance and protocol. But of course this government knows its own protocol: as long as it's there to help its friends.

We have the ORC, the Ontario Realty Corp, and the Ontario Realty Corp seems to be a way to filter land so that people can make a lot of money, so you can line the pockets of your friends. I hope you're not doing this at the art gallery. Now we're going to have art deals instead of land deals. I would like to know why, what really drove this bill. We had many land deals that lined the pockets of your friends. Is this bill a way to be able to do art deals?

The other thing too is that there is no good argument for the bill. I have spoken to many people who are experts and business people, and many others, and they keep asking, "Why? Why are they bringing in this bill?" It makes no sense.

The Canadian Museums Association, which is a national organization dedicated to the interests of museums and museum professionals at a national level, represents 2,000 individual institutions across Canada. Do you know what they say? "We believe that Bill 112 is unnecessary, inappropriate and potentially hazardous to the health of the cultural community in Ontario and beyond.

"Why unnecessary? The government argues that it has been prompted to act in light of certain financial difficulties at the institution. We understand the government's view that it is obliged to act in the interests of Ontario taxpayers, but we believe that this is not the way to go. We believe that the institution itself, and the government of Ontario as the principal shareholder, have the administrative and regulatory tools already in place to resolve those difficulties, without resorting to legislation." This is the Canadian Museums Association. It's a national body.

We even had an expert, Mr Lord, who spoke. He has done a lot of work in Ontario and outside of Ontario. His clients were museums worldwide such as the National Gallery in London, England, the Victoria and Albert Museum, the Tate Gallery, the Art Institute of Chicago, the Los Angeles County Museum of Art, the Asian Art Museum of San Francisco, the Cleveland Art Museum, and he says to withdraw this bill. He has dealt with museums and art galleries around the world, and he is saying this is not a good bill. Why do you not use his submission and weigh it carefully before you go any further on this bill?

I can go on and on.

Mr Doug Galt (Northumberland): We thought you had.

Ms Di Cocco: Yes. Again, I find it offensive. I find that this government is definitely on the wrong path. I feel passionately that you don't know what you're doing. You do not know what you're doing, otherwise this bill would not be here for debate. I hope you'll get some sense before we vote on this bill, because it's definitely the wrong way to go. All the experts—international experts, national experts, provincial experts, local experts, artists, professionals, at every level, business people—are saying, "Don't do this," and you still don't want to listen.

I am going to leave it at that. As you know, I am strongly opposed to this bill, and I hope the government will see the light and withdraw it at the end of the day.

The Deputy Speaker: Further debate?

Applause.

Mr Rosario Marchese (Trinity-Spadina): Thank you, Minister of Social Services. I appreciate your support. You know that.

I was looking at the title of Bill 112, as I always do. I look at all the titles that come out of this cabinet. This is the only bill that is not embellished. It says, An Act to amend the McMichael Canadian Art Collection Act. It's really quite simple. Not embellished, not manufacturing some kind of other image. Not a title that belies anything within it. It simply is quite clear: it's an act to amend. It's almost abrupt. It's almost harsh in its quality. But they

make no bones about it. They're not trying to disguise their real intent. They know exactly what they're doing.

In our committee hearings we heard eloquent, and I would venture to say poetic, submissions by a number of deputants who were brilliant and made a powerful case.

Interjection.

Mr Marchese: It doesn't matter who said what; that's not the point. We had people in committee who said, "We're opposed," and we had a few who were for. You can come up with a couple who say, "We're for," and many who were opposed, and that's the case. But that's not the issue, because I'm going to make the case for the taxpayer of Ontario.

My major point is that, yes, we had powerful deputations. I was happy to have been there, to have listened to the case they made, because they speak to the effects of this bill on culture in general. I'll try to get to that in my comments.

With all due respect, Mr McMichael was there. Again, with all due respect, I say he has made an important contribution to the McMichael collection. In fact, virtually every deputant that came to those committee hearings congratulated Mr McMichael, thanked him almost egregiously for the contribution he made. I'm quite in agreement that it was more than modest and it's something you've got to recognize, and people did. So the issue is not whether or not Mr McMichael's contribution was great, important, big or small. Everyone acknowledges what he did in terms of the benefit that he provided to all Canadians.

But there's a problem. Mr McMichael has refused, in my mind, since 1980 when he dropped out of the scene, to let go. Who knows under what circumstances he left? But since he had to go, or since he left voluntarily or involuntarily, things were never quite the same ever again. Thus the problems of the McMichael.

This is what I fear, for the benefit of the taxpayers: Mr Harris, the Premier of this province, is very likely to have had dinner with Mr McMichael, through some intermediary whom Mr Harris is likely to know or have known, who persuaded the Premier to have either lunch or dinner with Mr McMichael, which is how I believe this to have happened.

Hon Mr Jackson: What's wrong with breakfast?

Mr Marchese: Not a problem at all. Breakfast, lunch, dinner—not a problem at all.

The Deputy Speaker: Order.

Mr Marchese: Through you, Speaker, there's not a problem having lunch or breakfast at all. I'm waiting for one of the ministers to invite me for lunch or breakfast, and it still hasn't happened. He said, "Don't worry, it's coming." It has been months I've been asking for this breakfast—

Hon Mr Jackson: You're a socialist. You think there's a free lunch.

Mr Marchese: —just so that we could talk about opposition politicians, what it means to be in opposition, what it means to be in government, the complexity of the political process. But have I had this breakfast with him yet?

Hon Mr Jackson: You were never this long-winded over here.

Mr Marchese: Nothing. It's not likely to come.

But Mr McMichael had dinner, I suspect, with Mr Harris, which changed the course of the collection and the history of the McMichael since—

Interjection.

Mr Marchese: A vacation would be even worse. I hope they didn't vacation together. I think that would be a greater conflict than a dinner.

Hon Mr Jackson: A séance over breakfast.

Mr Marchese: The minister wants so much to engage in this discussion. Speaker, let him. I like that.

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The Deputy Speaker: Sit down. The member for Trinity-Spadina is receiving a little too much help with his speech. It would be best if the member for Trinity-Spadina was given the floor and allowed to proceed.

Mr Marchese: The member for Burlington intervenes and I am reminded that perhaps I should not—I'm not speaking to him, he's speaking to me. I love the interventions. So please, leave the member for Burlington alone. Don't go away. He's going away again.

Hon Mr Jackson: No, I'm coming over. Give me your speech notes.

Mr Marchese: I don't have speaking notes here. But sit over here. No, don't sit close to me, I don't like that. Sit right there. Speaker, I want him to sit—

Hon Mr Jackson: If you don't mind, Mr Speaker.

Mr Marchese: Look at these guys. They come and they crowd me.

Hon Mr Jackson: Give me your speaking notes: "No free lunch with the Premier."

Mr Marchese: Taxpayers of Ontario, the member for Burlington, the fellow I was conversing with, through the Speaker, is here to join me. Welcome, Minister.

Hon Mr Jackson: You have speaking notes. Look at these.

Mr Marchese: They're gone. The speaking notes are in my head. I'm not like the Conservative members who need speeches for everything they do. Your members read every speech. The member for Northumberland always has a speech prepared for him. Is that not true? Mrs Elliott, the former minister, has a speech too. Is that not true?

Interjection.

Mr Marchese: Content is what we want, you're absolutely right, and that's what I'm about to deliver, for the benefit of the member for Burlington.

So back to the dinner. Here we are, Mr McMichael and Premier Harris talking: "Mike, you've got to help me out. I used to be able to control this institution and now things have gotten out of my hands. What do I do? You've got to help me out. You've got to help me bring it back to the 1965 agreement, the way it used to be, Mike. Please. We need respect." Respect: that's Mr Day's word, at the national level. "You've got to respect the 1965 agreement, Mike. You're the kind of guy who

listens to Mr Day. 'Respect' is the buzzword of the day. Let me go back to the 1965 agreement."

I'm going to read from the 1965 agreement. The 1965 mandate is limited to the Group of Seven and three other named artists, plus others designated by the advisory committee "who have made contributions to the development of Canadian art." That's what it said in 1965.

Hon Mr Jackson: It looks like the Group of Seven to me.

Mr Marchese: The minister from Burlington says it looks like the Group of Seven. He doesn't understand, so I'm going to read it again.

The mandate is limited to the Group of Seven and three other named artists, plus others designated by the advisory committee "who have made contributions to the development of Canadian art."

What does it mean to you, member for Burlington? This is what it means to me, because I know you can't answer; it's not your turn. What it means to me is that it includes other artists—anyone, Aboriginal or otherwise, any Canadian artist who has made a contribution to the development of Canadian art. It's inclusive, it's expansive, it's elastic. It's not limited to the Group of Seven and the other three named by Mr McMichael. It means anyone. That is the spirit of the 1965 agreement. It doesn't say Group of Seven. It doesn't say "restricted to the Group of Seven and the other three." It says those seven, plus those three, plus anyone else who has made a contribution to Canadian art. Do you see the point, Minister?

Hon Mr Jackson: I'm listening to you.

Mr Marchese: Do you see the point, taxpayer, taxpayers who support guys like my friend here from Burlington? They have, at the gallery, kept to the spirit of the 1965 agreement. So what is it that this government, through Bill 112, is doing? I'll tell you what they're doing. They are in violation of the 1965 agreement. Bill 112 is in violation of the very agreement that the former Minister of the Environment says we need to get back to. It creates a new mandate, which is not the 1965 agreement that they say we need to get back to. That is why, Speaker, through you to the taxpayers and to my good buddy here from Burlington, this is the most stupid political intervention I have seen in 10 years in this place. This from a government that says, "We want government off your backs," which presumably means less intervention from government, not more. But this is the most interventionist act and bill committed by a non-government government that is here to get off your back and instead crawls all over your back like a monkey that won't let go.

Hon Mr Jackson: Like the social contract.

Mr Marchese: Yes, something like that, eh? You'd think you would learn from us. They keep on saying it's like the social contract. If it was so wrong, why do you keep on making the same mistakes? You had 10 years to learn. Why do you make reference to the social contract? If you believe it was wrong, then presumably you would have learned something from it and you would have changed course. You haven't learned anything, it seems.

Hon Mr Jackson: The social contract was pretty rough.

Mr Marchese: I know it was bad. We admit it was bad and you admit it was bad, even though you supported it. But I argue that if you felt the social contract was bad, why commit similar errors over and over and over again? Don't you ever learn? You don't learn from us.

Hon Mr Jackson: We're not going to spend our way out of this one.

Mr Marchese: "We're not going to spend our way out of this one." They blew a billion bucks a couple of weeks ago. Did you get that 200 bucks in the mail? Two hundred bucks to buy my vote. What next? How else can you buy people's votes? I can understand the federal government trying to buy votes from the Atlantic coast with the change of the new Employment Insurance Act. I understand that. But you people are no different. You're trying to buy people's votes by giving them 200 bucks.

One billion in the aggregate, just gone in one swift act, gone. Then you say, "But we don't have any money for our health care system. We put in a lot but we don't have enough." You've got a billion to give away for 200 bucks each in my pocket and the other people's pockets and you've got \$5 billion to give away in corporate tax cuts.

But you don't spend people's money, do you? Only New Democrats spend people's money. You people don't spend our money. Giving it away to corporations is a good thing because it's corporate need. "We've got to help them out because they're so desperate. This economy is doing so well but it could be so much better if we'd just give them a couple of more bucks." And I'm not talking about bucks, I'm talking about billions of dollars. It's OK for my money to go to the corporations, isn't it? But it's not OK for New Democrats to put money into the creation of jobs, it's not OK to try to protect the most vulnerable citizens in the recessionary period of the 1990s. That's not OK. But it is OK, in a good economy when you're overflowing with billions of dollars, to give it away to the corporations because they're crying for help, because they need more money. Twenty per cent increases in their corporate coffers is just not enough. They need \$5 billion more from the taxpayers of Ontario. When will it end? When is it going to end?

Hon Mr Jackson: It's not. We have more income tax cuts coming.

Mr Marchese: They've got more for you. They've got more tax cuts for you. It's coming like manna from the mountain.

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Hon David Turnbull (Minister of Transportation): We took poor people off the tax rolls that you used to tax.

Mr Marchese: Oh, David, you guys are so good. You were one of the best. I used to remember you here on this side bellowing like the horrifying winds of some—

Hon Mr Jackson: Now, go easy on him, OK? He's my friend. Just go easy on him.

Mr Marchese: Do you remember him, how he used to bellow out with that nice English accent of his that I used to like? But, man, was he loud on this side of the House.

I thought he would never stop. Thank God Harris made him a minister, because he quieted down a little bit. I like that. It's intellectual growth in this place.

Hon Mr Jackson: How much longer do we have to go here?

Mr Marchese: I've got a lot of time. There's so much to say. Let me go on.

It's good to have him, right, Speaker? The member from Burlington and I are dialoguing, right? He's not commenting.

Did you hear Ms Elliott, the member from Guelph-Wellington, say earlier on—I was around and I heard her say it—that it's the Liberals who changed the mandate in 1989? That's what did it. That's really what did it, she argues. She's clever, but I want to show you how not-so-clever she is, to show the public of Ontario how their predecessors, the Tories, in 1972—that's them; not the Liberals—changed the mandate. It should be no surprise. It's on the record, really.

Here is the mandate that you guys changed. The mandate is changed to specify that—

Hon Mr Jackson: You realize this is the third time.

Mr Marchese: No, this is different, 1972. That was 1965.

That agreement of 1965 becomes law in 1972. It says the mandate is changed to specify that all artworks must not be "inconsistent with the general character of the collection."

I'm not sure whether the Tories argue that that change of law was in violation of the 1965 agreement. I'm not sure they argue that. I didn't hear Ms Elliott from Guelph-Wellington argue this. I didn't hear any other member say the 1972 law was in violation of the 1965 agreement. I didn't see any of them say that, except I heard the member from Guelph-Wellington say that it was the Liberals' fault for changing the mandate in 1989.

You see the problem I've got? They selectively use some information and selectively forget other pieces of information, which I argue is somewhat insidious, because it doesn't sound fair, does it? I don't think it's fair. But if they can argue that the 1989 law was in violation of the 1965 agreement, surely they would say that what they did in 1972 was clearly in violation of the 1965 agreement. At least I would think that's the way they would argue. It's plausible, in my mind.

Interjection.

Mr Marchese: I hear Ms Elliott whisper, saying, "No, that's not the case." I think I hear her say that.

But if that's the case, then what she's arguing—if that's an argument—is illogical. Because I just read the 1972 amendment, the new act, and it's not the same language as 1965. So clearly it's in violation of it too, but they don't argue that.

Let me move on. In 1982, the mandate is changed to restore the list of 10 specified artists, the same as 1965, and in addition, art by indigenous people of Canada is to be collected, because Mr McMichael was in agreement with that. That's not the Group of Seven, it's not the Group of Seven plus three; it's now indigenous works, by

indigenous people. Isn't that in violation of the 1965 agreement, you would think? But it isn't, because Mr McMichael was around and was in agreement with including works by Aboriginal, indigenous people, but it's changed. He was around, and it says, "and works by other artists"—again, it seems to be consistent with the 1965 agreement—"who have made contributions to the development of Canadian art and whose artworks and objects will be consistent with the general character of the collection." Changed, again, by a Conservative government in 1982—not Liberals, not New Democrats, but by them.

If the 1989 law was inconsistent with 1965, do you not agree that the 1982 law was inconsistent with and perhaps in violation of the 1965 agreement? To follow their logic, I would have to argue "yes." But it isn't my logic, because it's illogical. That's why I'm making a case to you, Ontarians who are watching this, as a way of saying that what these people are doing is wrong. It's political intervention. It's a political abuse of power by one man, the Premier.

It was the Premier who made this decision, who instructed his minister to change the law. Not a minister, not an MPP, not any one of those people across the street there, but it was the Premier who intervened, as an abuse of his position and power, which I find the most stupid of acts made by a government and made by a Premier of Ontario.

Hon Mr Jackson: And you worked for Bob Rae. That's quite a statement.

Mr Marchese: And you work for Harris. That's even a bigger statement, especially as it relates to Bill 112.

Hon Mr Jackson: The public has spoken. The social contract fought everybody.

Mr Marchese: The social contract, and he hasn't learned a thing. When will you learn?

Hon Mr Jackson: We listen to labour.

Mr Marchese: You don't listen. You never learn; that's the problem. Otherwise you wouldn't make reference to something from which you should have learned and from which you should not have introduced Bill 112, and you continue to clearly make the same mistakes. If that was a mistake, let me go on for your benefit. Ms Elliott and the Minister of Social Services are here—

Hon Mr Jackson: I don't see that auto workers are too excited about this bill.

Mr Marchese: No, the auto workers are not, but the cultural workers are. The cultural sector is beside itself with what you're doing. I suspect not the union man, absolutely not. But the cultural workers, the cultural institutions, many of which I say are conservative institutions, and I suspect many of them are Conservative party supporters—

Hon Mr Jackson: Oh no, they can't be.

Mr Marchese: They are. That's why I find strange that you would commit such an egregious act of silliness.

In 1989 the mandate was changed by the Liberals to drop the phrase from the 1982 law and to allow "the gallery to collect art by artists who make, as well as have

made, contributions to the development of Canadian art." They in fact, to give the Liberals credit, have brought the mandate back to the 1965 agreement.

The 1989 agreement, Ms Elliott, is more consistent with the 1965 agreement than your Tory amendments made in 1972 and 1982, I would argue. But I know you're not following the fine details, so you're likely to have missed my argument. But for the benefit of the taxpayer who's following this, when I read that in 1989 the mandate is changed to say "and the gallery to collect art by artists who make, as well as have made"—which means there's a continuous growth of development; not something that was then, but is now and continues to be in the future.

"Artists who make, as well as have made, contributions to the development of Canadian art" is consistent with the 1965 agreement, which says, "who have made contributions to the development of Canadian art." It's the same language, so why would you accuse Liberals of changing the law? You see why I think it's insidious and wrong? Because you people, first, don't know what you're talking about. Ms Elliott doesn't know either. Secondly, the Premier intervened, and now you poor politicians of the government side have to defend the indefensible position. You look silly, sound silly. It's stupid, sounds stupid each and every time you try to fix this problem that your Premier has caused.

You see why it's important, when you have a second term, to turn against your leaders when they're wrong. It's important.

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Hon Mr Jackson: Ask Kormos. He did it before the second term.

Mr Marchese: To be fair to him, Peter Kormos was someone who stuck by the ideals of the party. He said, "I will not follow blindly," and he was right. But all of you people in your second term—not your first but your second—are following blindly as politicians with no will and no intelligence. That's why not only is the Premier not very intelligent, having dealt with this, but you, complicit in that stupidity, become stupid yourselves.

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): That's being unfair, Rosie.

Mr Marchese: No, I'm not unfair.

Hon Mr Jackson: You shouldn't be calling people stupid. Come on. You've got more class than that.

Mr Marchese: No, no. OK, you're not stupid. I'll take that back. I take it back.

Hon Mr Jackson: Thank you.

Mr Marchese: It perhaps was a bit harsh. But you are complicit in that act of stupidity. Is that OK?

Hon Mr Jackson: No, no.

Mr Marchese: An act of stupidity is, in my view, better than calling somebody stupid. Is that not true, Speaker? I think it's true.

In 1989, the law is changed again by the Liberals, making it a little more consistent with the 1965 agreement. Then, lo and behold, you people come into power by some intervention. I don't think it's a godly one, but

there was an intervention. It was the public who spoke indeed and you guys did well. But in 1996 or so—here it is. The McMichaels—

Interjection.

Mr Marchese: Hold on, John, hold on.

Hon Mr Jackson: John, he's all alone over here. Cut him some slack.

Mr Marchese: Please, I need some help. I don't have 15 members on my side helping me out.

Interjections.

Mr Marchese: See all the friends I've got on the other side, Speaker? Minister, let me go on. I've got a few more things to say.

When McMichael sued the government in 1996 for breach of contract and won, the saga plumbed new depths.

Hon Mr Jackson: Plummeted.

Mr Marchese: Plumbed, but you could say "plummeted." I didn't write it. It's "plumbed" here. I believe it's correct unless you, former teacher, think it isn't. All right.

Interjection.

Mr Marchese: It is true that I was a teacher at one time, Speaker.

McMichael's obsessiveness clearly impressed Judge Grossi, who declared that the province had broken faith with McMichael when it accepted a work that wasn't a landscape. "Thankfully," this writer says, "his ruling was soon rejected by the Ontario Court of Appeal for its legal errors."

OK, here you have it. Your former minister, Mushinski—

Hon Mr Jackson: Refer to them by their ridings. That's the proper way.

Mr Marchese: The member from Scarborough Centre, the former Minister of Culture, defended the 1965 agreement when Mr McMichael, unhappy with having lost complete control after 1980, left in a cloud and took the government to court. Minister Mushinski, the member from Scarborough Centre, quite rightly I say, defended the ministry and the history of the McMichael gallery. They went to the Court of Appeal. How many millions do you think it cost?

Hon Mr Jackson: I don't know, but it was an Italian judge. I got that.

Mr Marchese: Mr Grossi was an Italian-Canadian judge. OK. Anything else?

Hon Mr Jackson: That helps.

Mr Marchese: I admit to it. Then we go to the Ontario Court of Appeal, spend millions and millions of dollars—you, government, and me supporting you—in defence of what we have by way of history for 35 years. We win the Court of Appeal after spending millions and millions of dollars, which I thought was brilliant, was grand, was a good thing to do. The Court of Appeal made the sensible decision, judicious I would say, and said, "No, Mr Grossi, the former judge at the lower level, was wrong." That was good. That was right. And what happens after we spend millions of dollars defending that

agreement? The Premier has dinner with Mr McMichael and he changes everything.

Hon Mr Jackson: No, that was a speculation. Now get back to your records.

Mr Marchese: I speculated. It could have been breakfast, it could have been lunch.

Hon Mr Jackson: You speculated.

Mr Marchese: It could have been on a flight somewhere down south.

Hon Mr Jackson: Don't forget breakfast with the Group of Seven.

Mr Marchese: It could have been anywhere. The Group of Seven, I'm not sure that many of them are still alive. But, I argue with the taxpayer, would you be so astute a politician as to defend the gallery up to this point, take this issue to court, defend it in court, spend the money, win it, and then say, "We, the government, were wrong," and then change the act through Bill 112 to revert the gallery back to the McMichaels?

Good taxpayer of Ontario, do you follow this argument? Surely you will know that this is an act of utter political stupidity, don't you find? You, taxpayer of Ontario—because I know there are a lot of you—if you thought the government didn't want or didn't defend the 1965 agreement, why would you spend the millions of dollars to take it to the Court of Appeal? Why would you do that? Whose money are you spending here? Is it your money or your taxpayers' money?

And why would you not have simply said, "OK, Judge Grossi made a decision. We're not going to do this appeal, because we're about to introduce a law"? Why spend the money? Why waste it? Simply stand your ground. Don't appeal it. Save the taxpayers some bucks and save yourself the image of looking not very intelligent by simply changing the act then, instead of taking it to the Court of Appeal. Do you follow? You follow, don't you?

Hon Mr Jackson: It's frightening.

Mr Marchese: It is politically frightening. I'm outraged by it. That's why I'm speaking this way. I'm trying to convince the taxpayers that you people don't know what you're doing, that you people don't know what you're talking about either.

So what are the twin arguments that Ms Elliott, the member from Guelph-Wellington, advanced in the committee? There were two. One, we need to restore the agreement, as presumably felt by Mr McMichael and so on, more or less paraphrased. That was one. The other is, the McMichael gallery has had financial problems for a long time. In order to put it on its proper footing, we need to change the law through Bill 112 so as to restore financial stability. Curious, eh?

First, on the mandate, I've already shown, I hope, to the taxpayer—because Cam is not entirely convinced, I know—that we have kept to the spirit—and I say "we" because I was the Minister of Culture in 1990 and I didn't, like these ministers, change course along the way. I stayed the course and decided then that it was the right thing to continue to do. That's why I say "we." When I

say “we,” it means that I was personally involved at the time. I’m saying that we have kept to the personal agreement of 1965. I’m arguing that they have changed, and in fact through Bill 112 are in violation of, the act. They argue that we have violated the act; I argue they are violating the 1965 agreement act. That’s one.

Two, are we going to restore this institution to a financial footing that is desired by this government? I don’t think so. What proof is there that that’s the case? None, other than that through the hubris of this government they can claim it’s so.

I have a nice letter by an individual which I’ve read on the record before, and I’ll read it again.

Hon Mr Baird: Read the letter from Ken Darby.

Interjections.

Mr Marchese: No, no. Speaker, allow one interruption to just take a sip of water. It’s getting hot in here.

Hon Mr Jackson: That’s a long letter. How much longer have we got, Rosario?

Mr Marchese: I’ve got 20 minutes. Cam is complaining. No, just a little paragraph; it’s just too long. She argues quite intelligently—

Interjection.

Mr Marchese: No, I could read the whole thing, but I don’t want to bore the taxpayers of Ontario. Here’s what it says. There are four little paragraphs, and the third paragraph says the following.

Mr John Hastings (Etobicoke North): Who are you quoting?

Mr Marchese: I already named her before. It’s Ms Ann Henderson.

Interjections.

Mr Marchese: No, you don’t need that. Let me just read this for you. You’ll understand.

“The government claims that it is necessary to pass Bill 112 to solve the gallery’s financial problems. What financial adviser has suggested that present owners and sponsors be dumped in order to, hopefully, get new ones?” It’s a good question. “Yet that is the risk that will be exposed by this bill.” Taxpayers of Ontario, that question is a very valid one. These people are trying to convince you, to hoodwink you into believing that by changing this mandate this gallery will somehow solve its financial problems down the line. This lady argues that by dumping the donors, that by dumping their works of art somewhere, in some way, 3,000 of them, this will cause damage to those donors in a way that brings legal proceedings into question, but not only legal: those donors may decide not to continue to provide the financial support they’ve been providing for the longest of time.

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Will it be revenue-neutral, as they are arguing? By changing this law we may get other donors, but in losing the donors who have contributed in the last 35 years, will you get to a position of a revenue-neutral situation that doesn’t improve its financial viability, or are you likely to have lost so many donors that you will not get sufficient new ones to make up for the ones you’ve lost?

If that’s the case, your argument of financial stability is meaningless. It is built on quicksand. It has no validity. It’s implausible. It’s politically dumb.

Hon Mr Hardeman: Just can’t take it any more, Rosario.

Mr Marchese: No, but it is politically dumb. I can’t defend something that isn’t very intelligently thought through. This has nothing to do with an intelligent piece of legislation.

In committee people were asking, what happens to those 3,000 works of art? We don’t know. One of the members present here said, “It doesn’t mean they will be dumped on the market, thus causing a diminishment of the value of those works of art. It doesn’t do that.” OK, they’re not going to dump them. If the works of art are not dumped on the market, what happens to them?

Mrs Bountrogianni: You’re surrounded.

Mr Marchese: I know. They’re like a pack of animals ready to pounce. You could be friendly.

Interjection: Have we been giving you a hard time?

Mr Marchese: In committee they said, “The works of art will not be dumped on the market, thus causing a diminishment of the value of the works of art.” But what happens to them? It was suggested by possibly one member that they may be stored in vaults. I thought, “That’s interesting.”

Mrs Julia Munro (York North): It’s common practice in a museum.

Mr Marchese: She admits that it’s so and admits that it’s common practice. Imagine, we’ve got works of art being displayed at the McMichael, and what will happen to the works of art? No, we’re not dumping them on to the market; we’re going to put them in vaults, meaning hide them away from view, store them there indefinitely. How long? Well, indefinitely. But at the moment these works of art are being displayed.

Interjection.

Mr Marchese: Minister of Social Services, I want you to speak after I’m done. I’m looking forward to it.

Do you know who decides the disposition of those works of art, the disposition, acquisition and deaccessioning?

Mr Michael Gravelle (Thunder Bay-Superior North): On a point of order, Mr Speaker: I do not believe we have a quorum.

The Acting Speaker (Mr Tony Martin): Do we have a quorum?

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present.

The Acting Speaker: The member for Trinity-Spadina.

Mr Marchese: I appreciate the support. I like an audience. I don’t like just talking to the taxpayers. I want to try to convince some of the members of the Conservative Party, right? For how long can I talk to the camera? They never talk back. It’s true I get e-mails.

Interjections.

Mr Marchese: Do you hear them? That's why I love to have them. Because it's genuine dialogue, right?

Interjection.

Mr Marchese: There's a member who wants to speak to me in Italian again. Mr Spina wants me to speak in Italian, Speaker. Admonish him.

It would be nice to be able to speak in Italian or Spanish. I really would enjoy that. My Italian is good. My Spanish is not bad.

Interjection.

Mr Marchese: Very good, Minister. I want you to show those skills when you invite me for breakfast one of these days.

Interjection.

Mr Marchese: Whatever you like. I'm just waiting, right?

They have established what's called an art advisory committee. Good people of Ontario, when you hear of an art advisory committee, what thoughts does it solicit? That it's an advisory committee, right? "Advisory" means to give advice to someone, does it not? Lawyers, psychologists—advice is advice, right? There's no endowment of power there, is there?

But you know what? This advisory committee has the power to designate artists—not to be disputed by the board, not to be disputed by any staff or curator they might have on board. I don't know what that person's going to do from now on. It's the advisory committee that has the power. Mrs Elliott was having some difficulties with this but I admit she came to a better conclusion by the end of it. They were struggling with it, is the argument I'm making, because they didn't quite know what this advisory committee was going to do. They thought perhaps this advisory committee would simply advise on issues of acquisition, deaccessioning, submission and display, because when they introduced an amendment they created another advisory committee that would give advice on the issues of exhibitions and display. But in terms of designating works of art it's not the curator, it's not the board, it's the advisory committee that has the power to acquire works of art. Do you see the inconsistency, taxpayers of Ontario, when I argue with you, as I argue with them, that "advisory" doesn't mean having the power to designate which artists will be able to display their works of art, which artists will be able to sell their works of art, decided upon by that advisory committee that is not advisory, that has a different capacity? Why not say so if that's what you want them to do? If you want them to have that power, say it, but don't hide it under the guise of an art advisory committee. You're playing with the public.

There is, in my view, a dissimulation of the facts when they do that. That's what they are engaged in, and it's wrong. It's just plain wrong. That's why when I use strong words like "dumb" and "an act of stupidity" by this interventionist government, I mean them. It's strong. They're playing with the cultural community and they're playing with the McMichael art gallery.

We had so many deputations, brilliant deputations of people who are immersed in culture, whose life is culture—and these people didn't listen to them. They say, "But we had other people who are immersed in culture who were equally good and argued in support of Bill 112." But I have made a case to show that what this government is doing is absolutely interventionist. It's politically stupid. It's going to cause so much damage to the gallery. It will scare the living hell out of so many other institutions that may have been created under the same conditions and that will not know whether in the future Mr Harris having dinner with somebody else might change the law on something else.

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The cultural community's profoundly frightened of this act. They have intervened in an area where they know nothing, where this minister, this Premier, know very little, not left the job of what he thinks is culture to those who know, to the curators, and have given this job of designating works of art to the McMichaels. Of the five people, two of them are the McMichaels, and three people are nominated by them. They create Bill 112, they nominate the people they want on that arts advisory committee, and do you think those three other people are going to be unfriendly to Mr McMichael or do you think they're going to be friendly to Mr McMichael? Do you believe that Mr McMichael and his wife will not be able to control the other three who have been appointed by you? Of course.

Mr Garfield Dunlop (Simcoe North): You're assuming that.

Mr Marchese: I'm assuming that. The member for Simcoe North says I make that assumption. But if I argue this way, member for Simcoe North, that you have changed the law through this bill and you've created this so-called advisory committee that isn't advisory, that has more power than advice and you've done it to please Mr McMichael under the guise that we have violated the 1965 agreement, is it your personal belief that the three other people you're going to nominate to that committee are not going to be sympathetic to the McMichaels, that they would be there, in fact, to dispute the wishes of the McMichaels after the trouble and the political heat you're about to take? You believe that? So you argue mine is an assumption as opposed to a statement of presumed fact? I'm arguing that I'm more likely to be right than you are, given what you're doing.

So I say that the work of designating works of art and deciding what works of art are to be gotten riden of—"deaccessioned" is the other word—is left in the hands of McMichael, not in the hands of curators, not in the hands of a professional person whose job it is to do just that. It will send shivers down the spine of most curators whose job it has been to do that for a lifetime. All of a sudden they're being told they will be hired at the McMichael but they won't have a job because the McMichaels will decide what works of art will be in those halls, not them.

So I argue, are you going to pay somebody the money just to sit around and say to Mr McMichael, "That was a

good choice, Mr McMichael. You did well. That was good. We'll hang it up on the east wall. Or do you think we should hang it up on the west wall, or maybe on the north or the south"? The curator's going to be left with deciding which wall to put the works of arts on or possibly putting them on both. "Mr McMichael, that was very good; we'll put that one in the vaults. That was a very good decision you made." Curators left in a position to have absolutely no power, not any ability to use their knowledge as to decide what to buy or what to get rid of.

I have a quote from Ms Joyce Zemans, co-director, MBA program in arts and media administration, Schulich School of Business, York University—she seems very well qualified to me. She says, "As was obviously foreseen in the original agreement, (despite recent protestations to the contrary)"—meaning their protestations and the McMichaels—"the McMichael's collecting policies have always extended beyond the narrow period of the Group of Seven's principal activities to include earlier and later artists who have 'made contributions to the development of Canadian art.' Indeed, Robert and Signe McMichael never restricted their collecting only to the landscape or only to the work of group members. To their credit, during the period that Robert McMichael served as its director"—from 1970 to 1980—"the McMichael gallery created a major collection of the work of First Nations and Inuit artists" and many others.

So what is that we're talking about? What is it that you want to get back to by way of the spirit of 1965? The McMichaels themselves, while he was the director, expanded the gallery by including aboriginal works of arts, Inuit works of art. It was he, not anybody else, when he was the director.

What is it that you want to get back to that we were not keeping to in terms of the spirit of the agreement in 1965? Mr Michael was there, actively involved. He was there from 1965 to when you changed the law in 1972, and to when you changed the law in 1982. He was a director. He was a paid staff person. Forget about the fact that he was well paid for the contribution he made. That's irrelevant. The point is that he was an integral part of the decision-making processes that went on from 1965 in terms of who was included in that gallery, and it was more than the Group of Seven, more than that.

You have these people, these government members and some of the committee members, coming to our committee hearings saying that it's all right to go back to the idea of having a Group of Seven. What's wrong with that? I say nothing is wrong with that, but it's not what the 1965 agreement said. The McMichael gallery is famous for the fact that it features, and it is central to the gallery, the Group of Seven. No one disputes that. People go to the gallery to see the Group of Seven and the other works of art, but that the Group of Seven is central to the McMichael gallery is undisputed. We all credit the gallery with that. So what are we disputing?

In my humble view, the members who came to our committee hearings got it wrong. They somehow believe that the agreement of 1965 only involved the Group of

Seven and the three others that McMichael agreed to, which would have made it 10. That was a faulty argument, the premise of which, it seemed to me, they were arguing when they came into the committee. But it's wrong. That's why I read to you, good taxpayers, the 1965 agreement, as a way of showing you that this government is changing reality, is creating a new agreement that was not the 1965 agreement. They've changed the mandate again, and wrongly, because the effects of what they're doing will have repercussions of which they know nothing. They have not thought about the repercussions, legal or otherwise. They have not thought about what some of the people in the artistic, arts-culture community feel about this, and even though they came to the committee and told them what you're doing is wrong, they didn't listen. That's why I become dispirited when I see these things.

Do you think I argue here because I am in opposition and love to simply argue in this fashion because opposition is made to oppose? It's not that alone. Yes, we oppose, but we oppose most of the time with principles, and in this particular instance we oppose it fundamentally because it's wrong. There is no philosophy here, right or left. It has nothing to do with ideology, nothing at all to do with ideology, not left, not right. It is an act of a political intervention that was introduced in a way that has caused so much damage to the entire cultural community. I'm not arguing as a New Democrat; I'm arguing as someone who believes that what you have done will cause irreparable harm.

To have introduced this bill without having consulted the board members, those who volunteer—and board members are volunteers. They contribute money too. Many of them were outraged. Many of the volunteers who came to the committee hearings were outraged. They were not consulted. Who was consulted in advance of making these changes? Only Mr McMichael and Mr Harris, in a presumed dinner or lunch they had together, and that was it. That was the extent of the consultation. Do you see what I'm saying? If the minister had some knowledge of culture, he might have had some idea that perhaps this is the most—I don't know—

Mr Steve Gilchrist (Scarborough East): The words will come to you. By the way, the camera's over there.
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Mr Marchese: —the most important thing that one could have done for culture, and he advanced arguments as to why that is so.

Mr Gilchrist, it's that one.

I heard the Premier say, "This is why we need to do this, because we believe it's going to enrich culture." Did you hear the Premier make any comments on this? Did you hear any of these other loyal members speak about this? I have. They read the speeches, like dumb parrots. They read speeches. No one speaks from their heart when it comes to speaking to issues, in particular speaking to this one. They read prepared speeches. Why? Because they cannot defend this most indefensible position they have taken through Bill 112. They have to read them

because to get out of text they might say something outrageous that will rile the emotions of the Premier to the extent that they might be fired, they might not get certain positions.

Speak from your heart, if you can, and say to the public that you think what the Premier has done is profoundly wrong and the damage needs to be corrected now while you still have a chance. Bring out some of that courage. You've been in there two terms, some of you. It's a shame that you're there parroting the views of your Premier on something he has meddled in of which he knows nothing.

I am urging you, the public, to have a close look at this bill. I am urging you to meet with these people and ask them to account to you. That's the only power we've got left.

The Acting Speaker: Further remarks?

Mrs Brenda Elliott (Guelph-Wellington): I am very pleased to have the opportunity to add my voice to this debate on Bill 112, the McMichael Canadian Art Collection Amendment Act. We've had a vigorous debate in this House here tonight and other days preceding. We've had a number of speakers come before us in the committee hearings. The debate has indeed been vigorous, but I think it's understandable because what we're actually debating here is the fundamental principle that's dividing us. Those of us on this side of the House believe very firmly that when the government of Ontario gives its word and makes a deal it should be kept. Clearly those on the other side of the House disagree.

What we're talking about tonight is that in 1965 an agreement between Premier John Robarts and the McMichael family was made. That deal was more than a simple commercial transaction. The McMichaels of the day had a vision of an art gallery based upon a collection of work of the Group of Seven and other artists whose work fit both the general approach of the group and their contemporaries. That vision included the physical location of the gallery, the unique home and property that the McMichaels donated to the people of Ontario.

Those of us who have been to Kleinburg know how beautiful the location is and how well the physical property reflects the McMichaels' idea of an art collection based on one of the great streams of Canadian art. I make no artistic judgment about that, far be it for me, but I would note the words of one woman who testified before the committee. When asked her opinion about what the contents of the gallery should be, she simply said, "Contemporary art does not belong in a log cabin."

Be that as it may, the real issue before us tonight and throughout this entire debate is whether the government of Ontario, having agreed in 1965 to sustain the McMichaels' vision of the gallery, can then betray or override that with a different vision.

That is exactly what happened in 1989, when the Liberals—and despite all the rhetoric from my colleague across the way—deleted key words from the McMichael agreement that the new purchases for the gallery must be "consistent with the general character of the collection."

That was deleted. Further to that, even the order of those featured in the gallery was altered in that 1989 agreement. The artists of the Group of Seven and their contemporaries were in fact placed second in a list of importance in the actual act. That is extremely noteworthy.

It's interesting that the Liberal Party doesn't even want to talk about the fact that they changed the nature of the collection in their 1989 legislation. It's as though they were actually embarrassed about what they did. The minister of the day said they weren't changing the nature of the collection when in fact that is exactly what the bill did. Her words, repeated in the Legislature during that unbelievably long five minutes of debate in 1989, said it all: "The collection will, of course, continue to focus on the Group of Seven." Those were hollow words, knowing how much the legislation had changed the focus. I think the more telling words in that particular minister's few words in the House were, "A revised wording provides for a more dynamic collection." That was actually repeated several times.

If the Liberals had been up front about their actions, they probably should have renamed the gallery the Peterson collection. Just because the government was the owner of the collection, the Liberals believed it was OK for them to substitute their vision for that of the McMichaels. The government of the day had that power, but they did not have the right to do that.

It was interesting to note how many deputants in the hearings understood this. Words like "ravaged" were used. One woman succinctly summed up the effects of Liberal meddling by asking "why a collection that had a clearly defined scope and focus is trying to become all things to all people." Yet somehow that was how the Liberals visualized the gallery.

I know I am not alone in being unable to comprehend why the opposition feel this one collection must be the repository and showcase of Canadian art in its most general sense, because that was never the McMichael vision. That was not the intent of the 1965 agreement between the government and the McMichaels.

Since the Liberals won't talk about their own legislation, they have been reduced to grasping at a 20-year-old draft audit report from 1980, not even the final audit, mind you, but a draft version, which they use as their excuse for claiming Bill 112 should be scrapped. And why is that? It's because they claim, and they've been echoed by a portion of the media, that Bill 112 returns control of the McMichael gallery to the McMichael family.

Nothing could be further from the truth. I didn't know whether my colleague across the way simply couldn't add, didn't understand fractions or didn't know the difference between minority and majority. The thrust of Bill 112 is to restore the gallery to financial health by curbing its \$2.1-million operating deficit—that's just since January—and to restore the integrity of its mission to showcase the Group of Seven and related artists.

The government of Ontario retains ownership of the McMichael Canadian Art Collection and will appoint all

the members of the board of trustees. The chairman of the board is the renowned art patron and entrepreneur David Braley. The board, not the McMichaels, will manage this unique institution in the finest traditions of Canadian art collecting and displaying.

In turn, this does not mean that no one else can have any say on the collection. To my colleagues across the way, particularly on the Liberal benches, the McMichaels, for instance, will sit in a minority voting position on an art advisory committee, comprised of five people, two of whom will be the McMichaels. In that capacity, on the art advisory committee, they will recommend artists for inclusion in the collection, although the board retains the decision to buy and sell.

The curatorial staff with their great expertise will serve on a variety of committees and subcommittees and can advise the board on an ongoing basis. They will give advice on acquisition, display and disposal. The great change that flows from Bill 112 is that the McMichaels's vision of a gallery of Canadian art based upon the Group of Seven and compatible artists will be steadfastly maintained.

As the chairman of the McMichael, Mr Braley, when asked by a member of the legislative committee about the proposal of deaccessioning art, said, "It would be impossible to make judgments in advance of actually dealing with a particular piece of art." Art might be sold. It might be loaned out. The point is, the board will decide. For the record, when asked about decommissioning, Mr Braley said, "One would be foolish to sell a lot of art at one time when the marketplace devalued it."

It's been a very interesting time hearing the deputation come before the committee to speak about this bill. My colleagues across the way have focused their attention on some of the curators and some of the people in the art community who have expressed their concerns, primarily at the role they will have in the committee.

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I would point out to my colleagues here in the House that the McMichael art collection is an agency of the province of Ontario. The cabinet would appoint the directors, just as the cabinet in the federal government would appoint the directors of the art gallery or the Museum of Civilization. This is being done no differently, in a very responsible way. The art advisory committee, and my colleagues across the way just can't seem to understand this, makes decisions about the art but the board actually makes the decisions about the ways the art will be bought or sold or managed at the collection.

My colleagues across the way have forgotten to mention some of the very interesting people who have come before the committee. Many of the people who are very supportive of the changes the government has proposed in this piece of legislation spoke without notes, and I found that most interesting. They spoke from their hearts, people like Pierre Berton, Ken Danby and George McLean, who are world renowned artists who had very clear opinions about the role of art at this gallery, about the role of the McMichaels, about the role of govern-

ment, about the relationship with this gallery. They were very supportive of the actions of our government and understood very clearly what we are trying to do in restoring the collection to the vision of the 1965 agreement and the original intent of the McMichaels.

We have used so many words in this debate, but I think the key things are that we're returning honour to the agreement that was made. We understand that when the province of Ontario makes a decision and an agreement, and in this case agrees to manage a very substantial and noteworthy gift in 1965, it has obligations to honour that original intent. Through the years, particularly under the Liberal change of legislation, that has been altered, and we are going back to that.

Before us looms a new age for the McMichael as a focal point for Canadian art, as a tourist destination and as a theme gallery highlighting both the past and the road into the future. I would like to close with a comment from one woman who spoke to us who had had a very long history with the art gallery, as a visitor, as a neighbour and as a member. She said, "Webster's Dictionary defines a collection as 'things brought together by choice.'" This is by Lucy Kristan. "Clearly, the membership of the collection and the regular visitors no longer agree with the choices, and it is time to change the direction back."

We are doing just that and we look forward to support on this bill.

Mr Gerretsen: Let me, first of all, say that I wish to congratulate my colleague from Sarnia, who gave an excellent presentation as our critic with respect to this bill. Let me make one other point right at the beginning, because this has been alluded to on a number of occasions, that somehow in 1989 the government of the day, that bad Liberal government, changed the bill unilaterally, in five minutes, without much debate. I've taken the opportunity to actually pick up the Hansard for the 1989 debate, and I would like to read verbatim what happened with respect to the changes that were made in the bill in 1989.

You've got to remember that in 1965 the McMichaels gave this collection to the province of Ontario, donated it, got money, got various tax donations. The Conservative government of 1972 changed the 1965 agreement, and that has already been alluded to by my colleague from the New Democratic Party, and then the government members keep saying that in 1989 this bill was changed, that this collection was totally changed, by that horrible Liberal government.

I will just read to you, and I will read you almost every word, because I want the members in the House to know exactly what happened that day. The debate took place on July 13, 1989.

Interjection: In the days when they sat in the summer.

Mr Gerretsen: Yes, it was during the days when they sat in the summer. It was Bill 209 and it was presented to the House on second reading by Ms Oddie Munro. She stated as follows: "This legislation has been a high priority of my ministry." She was the minister at the

time. "Bill 209 contains amendments to the McMichael Canadian Collection Act.

"The purposes of the legislation are:

"First, to provide an appropriate and bilingual name for the organization. The corporation will be known as the McMichael Canadian Art Collection, Collection McMichael d'art canadien.

"Second, to enlarge the board of trustees. This will enable the provision of more effective direction to the collection and, in particular, to improve its fundraising capabilities.

"Third, to clarify the collection's mandate. To provide for a continuing dynamic collection, the legislation will provide that the focus of the collection be works of art created by Indian, Inuit and Metis artists, the Group of Seven and their contemporaries and other artists who have made a contribution to the development of Canadian art....

"Thank you, Mr Speaker," Miss Munro goes on, "for allowing me the opportunity to introduce Bill 209 to my colleagues in the Legislature for second reading. I look forward to hearing the comments of my colleagues."

I would really like the government members to listen to this next sentence. Mr Wiseman was a Conservative member of Parliament from the Perth area. I've forgotten the exact name of his riding. I think it was Lanark something or other. On behalf of his caucus, on behalf of the Conservative caucus at the time, he states, "We agree with these four housekeeping amendments." He didn't think there was anything drastic going on.

He said: "We agree with these four housekeeping amendments, but I do have a couple of questions for the minister.

"I would like to know if the gift from the McMichaels will be kept in place and if Mr and Mrs McMichael will remain on the board of 17 as long as he or she is capable of handling that position."

There was obviously some concern by the McMichaels about that at that time as well.

This was Mr Doug Wiseman. I think at one time he was the Minister of Government Services in the Conservative government, from the Perth area. I'm sure that the Minister of Consumer and Commercial Relations from Leeds-Grenville knows him well. He said, "Other than that, if we can be assured that those two or three things will take place, we have no complaints and would support the bill." Hansard, page 2359 of 1989.

Let's just go on a little bit further. The NDP critic then, who was Mr Charlton, agreed as well. Then the Acting Speaker said, "Would the minister care to wrap up the debate with her reply?"

She basically goes on to restate what I've already said that the minister said earlier in her remarks.

At the very end of her statement, she states, "In closing, I would be more than willing to take any additional comments from members of the Legislature and wish to assure the members that I value their comments highly in regard to the direction the McMichael collec-

tion goes from here on in. Those are my final comments, then, on Bill 209."

"Motion agreed to.

"Bill ordered for third reading."

So much for that.

When I heard earlier on that this bill had been agreed to in five minutes, I figured that unless there were an awful lot of five-minute closure motions in those days, it must have been a matter that everybody agreed to. That was the main reason why I looked up in Hansard to see exactly what had happened. What I suspected had happened, of course, had actually occurred, and that is that this was something that was agreed to by everyone in the House, including Mr Doug Wiseman, the Minister of Government Services at one time, on behalf of the Conservative caucus.

This smokescreen of somehow now coming forward and saying, "We are trying to correct this horrible bill that had been passed by that horrible Liberal government back in 1989 in a matter of 15 minutes," is absolute nonsense.

I suppose the first thing that the people out there might say on a night like tonight: "Why are these people talking about this the whole night? Why did they talk about it for three or four days before that? We've only been back three or four weeks. Why did they spend four days on committees?"—I believe I was there on three of those days listening to the deputations from the arts community on one side; on one side there was a whole group of people supporting the McMichaels, and on the other side was a whole group of other people taking the opposite viewpoint—"when there are so many other real problems to talk about?"

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We've got problems with respect to the education system. High school students across this province are crying out for a full educational experience. They truly want extracurricular activities and they want the minister to step in and resolve the issues out there. She is the individual who caused this crisis and chaos in education and she is the only person who can bring all the parties together and actually resolve it, so our students in this province can get the full educational experience they are entitled to. Those are the kinds of issues we should be talking about.

We should be talking about health care and the horrible state it's in. Just the other day we read in the paper that a cancer patient waited for seven months to start treatment. Why aren't we dealing with those kinds of situations in this House?

Or how about the environment? Look at what's happening in Walkerton. It's a disgrace when people throughout the province of Ontario aren't quite sure whether they can drink the water in their taps because who knows when the next calamity may fall upon us. So why don't we do something about those situations?

I come from a community where we truly value the arts and culture. It's an integral part of our society in Kingston and we're very proud of it. I certainly don't

want to demean whatever we can do for arts and culture for this province. But to spend the amount of time on this kind of legislation, when we could be spending it to deal with so many other real problems out there in this province, I think is plain unfair to the people of Ontario and is outrageous.

Then to have the government mislead us—earlier today I was told that was a perfectly acceptable term to use. I was told because I specifically asked the Speaker—

The Acting Speaker: You will have to withdraw that. You cannot accuse the government of misleading the House.

Mr Gerretsen: I withdraw, Speaker.

But when the government, in effect, comes in here and tells us that they're trying to correct a horrendous agreement that was signed in 1989, or a bill that was passed by a government in 1989, and it turns out that everybody in this Legislature at that time backed that particular bill, and when that particular bill, quite frankly, did very little different than what the original bill did in 1972, then I say, why doesn't the government just fess up?

I believe the member from Trinity-Spadina. I am positive, as he is, that what happened here is that the McMichaels and Mr Harris, or somebody in Mr Harris's entourage or within cabinet, got together and there was a deal made. "Something has to be done for the McMichaels. We'll put it through the House because it's something that isn't going to take more than a day or two." I'm sure it was done under those kind of circumstances and under that kind of pretext.

Dozens of organizations made presentations that claimed that what Bill 112 is trying to do is going in exactly the wrong direction. Is the Royal Canadian Academy of Arts and the over 600 members it represents wrong? Is the Canadian Art Museum Directors Organization and the number of people it represents wrong? Is the Canadian Artists' Representation Ontario wrong?

Hon Mr Baird: Is Pierre Berton wrong?

Mr Gerretsen: Mr Berton has a different opinion. Mr Berton may be a very close friend of the McMichaels or he may not be. I'm sure that the McMichaels are well-intentioned. It is not my purpose here to demean the McMichaels and what they've done for this province and the kind of collection they've brought to this province. But that's not what this is about. It is not about the McMichaels; it is about how we want to see a government govern on behalf of all the people of Ontario. This bill doesn't do anything but give the McMichaels more power. That's all it does. You'll get your way eventually, and under the guise that putting this advisory committee in this bill and giving the McMichaels full power somehow will do away with the \$1.6-million deficit this gallery is operating on on a year-to-year basis.

My colleague from Sarnia-Lambton, the critic for our party, brought forward an amendment to set up a financial advisory commission so they could actually give the organization advice as to how run the operation in a more fiscally accountable fashion. What's wrong with that? Why did they reject that? It's interesting that the only

thing the bill really deals with is who is going to make the decisions with respect to what gets acquired and how it gets displayed and things like that. Then all of the financial problems will somehow be dealt with in an efficient and effective manner.

I know the auditor's report that was done in 1980 was done 20 years ago. I certainly don't think this is a document that should make any determination in this matter at all. But it is kind of interesting, all the same, that the auditor came up with the recommendation as to how the collection was handled in a very haphazard manner while the McMichaels were in charge. I'm not going to quote from here, because it's already been quoted from today by my colleague on a number of occasions, other than to say that this audit report is very critical of the way in which the gallery was being run while Mr McMichael was in charge earlier.

Why would you want to put him in charge again when, according to these auditors, he financially mismanaged the place 20 years ago? Has there been any evidence given that the McMichaels now have somehow, maybe through the help of other people, come up with a plan whereby the annual deficit of \$1.6 million will be done away with? We haven't heard anything like that. All we've heard is that somehow that bad Liberal bill of 1989, which was agreed to by all parties in the House—and it's in Hansard—has to be undone, when you and I and the public out there know full well that it's not about that at all. It is not about the kind of legislation that was passed back then. Maybe, to a certain extent, it isn't even about the legislation that we're passing now. It is just all a cloud that's being created in order to give control back to presumably the individuals who caused a lot of the financial mismanagement, at least when they were in charge a number of years ago.

I say to you, read what happened in 1989. The 1989 legislation is good and it can be used as an effective tool to properly manage the museum the way it is currently constructed.

Mr Dunlop: It is a pleasure to be speaking this evening on Bill 112. I'll be sharing the rest of the time with the member for Scarborough East and the member for Northumberland.

It is a pleasure to be speaking on this bill, an act to restore the McMichael art gallery to its original intent as a showcase for the Group of Seven and their contemporaries. I know that there has been a lot of debate on this bill, with second reading as well as some very heated debate in our general government committee meetings. I found them very interesting.

I would like to thank the members who have spoken tonight: Minister Johns; the parliamentary assistant, Brenda Elliott; the member for Sarnia-Lambton, who had a lot of points that were worth considering; the member for Kingston and the Islands; and also the member for Trinity-Spadina.

Our purpose here today is very clear. It is to keep a commitment the Ontario government made in 1965. It is to restore an ailing public institution to financial health. It

is to protect the interests of Ontario taxpayers and the investment they have made in a legacy for future generations. And it is to preserve a unique chapter in our nation's history.

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Bill 112, the McMichael Canadian Art Collection Amendment Act, will accomplish all of these things. It is not surprising, then, that this legislation has stirred such an emotional response from the members of this House and from ordinary people across our province. But at the end of the day we must ask ourselves one simple question: has the McMichael Canadian Art Collection benefited from the changes inflicted upon it in recent years? Is it better off today than when it stayed true to the course set out by its founders? The simple answer is no.

An independent auditor's report on the gallery earlier this year found a deficit of \$1.6 million for the fiscal year 1999-2000. It attributed the shortfall to high fundraising costs, dwindling corporate sponsorship, a significant decrease in attendance, weak project management, high staff levels and the lack of a formal budget process. This is the cost of the ongoing controversy at the McMichael. This is the price we must pay for the unfortunate attempts of a previous government to fix something that was never broken in the first place.

Robert and Signe McMichael dedicated years to putting together the definitive collection of artworks by the Group of Seven and their contemporaries. They appreciated the singular nature of this remarkable school of art.

The Group of Seven painted brilliant landscapes that transported the viewer across the breadth of this incredible province, from the Great Lakes heritage coastline, through the pristine reaches of my riding on the shores of Georgian Bay and the Muskokas, to the rugged wilderness north of Lake Superior.

In 1911, Franklin Carmichael left his hometown of Orillia, Ontario, and moved to Toronto so that he might pursue his interest in art at the Central Technical School and the Ontario College of Art. In later years, the La Cloche Hills area north of Georgian Bay became both a favourite painting location and the site of the family cottage. His La Cloche paintings depict the beautiful rolling hills, glistening lakes and dramatic skies so characteristic of the Muskokas and the area around Georgian Bay, as well as most of the area included in my riding.

As our most eminent historian and author, Mr Pierre Berton, pointed out during the committee hearings on Bill 112, the Group of Seven, along with Tom Thomson, made up the first national arts movement in Canada. Their art showed the world that Canada had its own distinct identity. This was a major milestone in our country's cultural and political development.

The McMichaels recognized its significance, and they came to believe that their collection was something to be shared and celebrated, not kept behind closed doors. So in 1965, they made a generous gift to the province of 194 works of art. They also donated their home and the

beautiful property on which it sits to create a permanent site for the collection.

In making their gift, the McMichaels entered into an agreement with the province. They had assurances from the government of the day that the unique character of the collection would be maintained and that the new gallery would serve as a lasting tribute to the Group of Seven.

Some critics of this bill have said that the McMichaels were fairly compensated for their gift—as if you can put a price tag on a life-long labour of love. They have suggested that this should have ended the McMichaels' involvement in the gallery that bears their name.

It was clearly their vision that guided the gallery in its early years. It was their dream that captured the imagination of Ontarians, Canadians and thousands of visitors from abroad.

By 1972, the collection had grown to such an extent that legislation was passed to make it a crown corporation. Profound as this change was, it did not undermine the integrity of the collection. The legislation was amended in 1982 to further protect that integrity and give it the force of law. The gallery continued to thrive.

It was in 1989, under a Liberal government, that an act was brought forward to expand the focus of the collection. This was the misguided moment at which the integrity of the collection was violated.

Without the unique mandate that was its very essence, the magnificent tapestry that was the McMichael Canadian Art Collection started to come apart at the seams. It's our job today to mend the rifts, to restore the integrity of the collection and build the foundation for its future success.

Bill 112 honours the intent of the original agreement that the province made with the McMichaels. It keeps a promise that was made, and it promises a return to financial prosperity.

Under the proposed legislation, the McMichael Canadian Art Collection will comprise works by Tom Thomson, Emily Carr, A.Y. Jackson, Lawren Harris, A.J. Casson, Frederick Varley, Arthur Lismer, J.E.H. Macdonald, Franklin Carmichael, Franz Johnston, and David Milne, as well as Aboriginal artists who have made a contribution to the development of Canadian art. I'm pleased to say that David Milne painted a lot of his paintings in the Six Mile Lake area, just in the southern part of Muskoka, north of my riding, and there's quite an interest in the cabin he formerly painted in.

Limiting the scope of the collection to these artists does not limit the potential for creativity or artistic excellence. As we heard during the second reading debate, many world-famous galleries and museums have collections devoted to a specific time period, artist or artistic style. Rather than striving to be all things to all people, these institutions have worked hard to be the best in the world within their genre.

At the committee hearings, one of Canada's most popular artists, Mr Ken Danby, called Bill 112 commendable for honouring the terms of the original agree-

ment between the province and the McMichaels. Surely someone so highly respected in the art world, who has served on the boards of both the National Gallery of Canada and the Canada Council, would not pull any punches if he thought the government's proposed direction for the McMichael was artistically ill advised.

Bill 112 will establish a five-member art advisory committee at the McMichael to review all of the art collection and all the art being considered for acquisition. The committee will make recommendations to the gallery's board of trustees, which is of course appointed by the Lieutenant Governor in Council.

The board will make the final decisions about what art is consistent with the collection's mandate—not the government, not the McMichaels, but the board—and the board will determine what should be done with those works that do not fit the mandate.

On this issue, I want to repeat what the McMichael's newly appointed chair, Mr David Braley, said before the legislative committee confirming his appointment in August. When asked what would happen to the art that was no longer appropriate for the collection, he responded:

"It might get sold; it might get loaned someplace else. I can't make these judgments in advance of actually dealing with a particular piece of art or what have you. I don't think I'm personally qualified to make the decisions. I can guide it from an administrative point of view. I can make sure that everyone is dealt with fairly. I will follow whatever contractual arrangements are made because that is what has to be done."

Doing what has to be done—that's a sign of strong and practical leadership. Our government is absolutely confident that Mr Braley is the right person to straighten out the McMichael's financial difficulties and lead the gallery back to fiscal good health. Mr Braley is a respected member of Ontario's business community, with tremendous managerial expertise. He is a renowned philanthropist who has dedicated both time and money to worthwhile causes in his hometown of Hamilton.

Mr Braley and the board have a challenging task ahead of them. They will have to put in place cost-effective financial, administrative and operational processes to keep the McMichael on track and in the black. They can count on our government to work with them toward this important goal.

The Minister of Citizenship, Culture and Recreation has already announced that the government will invest \$2 million in capital improvements to safeguard the collection. These will include repairs to the roof, windows and mechanical systems of the building that houses the gallery.

The passage today of Bill 112, funding for much-needed repairs at the gallery and other steps to put the McMichael's financial house in order—all these things together constitute a well-considered, reasonable plan of action to restore the McMichael to international prominence.

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The most valuable thing that we can do, however, to protect and preserve this unique collection is to finally put to rest the controversy and division that have undermined the gallery's success in recent years. Too much time and effort has been spent on a war of words. Too little attention has gone to constructive activities to build the gallery's revenue base and expand its audiences.

Let us view Bill 112 as the end of this conflict and the beginning of a proud new era of the McMichael Canadian Art Collection. Let us turn our energies to making the McMichael a monument to our Canadian heritage and a timeless testament to the cultural birth of our nation.

Mr Speaker, I thank you for this time to speak tonight.

Mr Bob Wood (London West): I want to speak very briefly on this matter. I'd like to draw to the attention of the House that this situation involved an art gallery which had strayed from its original mission and had had a sharp drop in attendance. Action was obviously needed, and what the government has done is look to the original mandate and the original visionaries to restore a situation of significant problems for the art gallery.

We've heard a lot of talk today about past agreements, past legislation and so on. I'd like to suggest to the House that this is totally meaningless to art lovers and potential patrons of the gallery. I think the government has a duty to intervene where a publicly supported gallery is losing the support of the public. The government has come up with a plan to attract the interest and support of contemporary art lovers, and I think it's well worth a try. The people of Ontario have made it quite clear that they like good art and they are prepared to support good art, particularly when it's in the styles which they admire. The success of the Barnes exhibit proves that.

Other than spending more money, I've heard of no other credible solution proposed by the Liberal Party. I think it's time to address this problem and take some effective steps to solve it.

Mr Gilchrist: I'm pleased to add a few comments to the debate here this evening about the final resolution for the situation at the McMichael Canadian Art Collection.

I was quite ashamed, quite frankly, to sit here and listen to the submissions made by the member for Sarnia. I think her input was deplorable and should be an embarrassment to her and her party. I think you can disagree with people without resorting to sort of gutter language and innuendo. I would challenge her and challenge the member for Kingston and the Islands to say the same thing outside this chamber they said in here. You would see how fast your parliamentary immunity would disappear. Again, we heard nothing in terms of a specific suggestion, we heard nothing in terms of the actual content of what we're doing.

The Liberal Party position seemed to be that, because one Tory member was duped back in 1989 by the submissions of the then Liberal minister that the changes were just minor housekeeping, somehow that makes what

you did to the McMichaels OK. The absolute betrayal of the original promise in 1965 and the secondary promise in 1972 was totally undermined by what you did. You failed to mention, as you were quoting selectively from Hansard, the fact that, as your members suggest, it was minor housekeeping, but then when you go to the actual bill you'll find that, for example, the Group of Seven was taken out of the primary position and moved to second place. How in blazes can you consider that that's keeping with the spirit of the donation of the Group of Seven art in 1965? Instead, to be politically correct, your colleagues thought that native Canadian art should rank first, and then maybe Group of Seven, and then we'll continue down the stream.

You also dropped "consistent with" when advising the board how their future deliberations should be guided. You totally removed the mandate that had existed that they must respect the original premise, the original promise to the McMichaels.

So with the greatest respect, if you're going to read Hansard, read all of Hansard next time. That sort of selective quote does a disservice to the members who participated in the debate back then.

While it's a very easy thing for the member to do in this case, because debate was only five minutes, it may or may not be widely known that between the years 1985 and 1990, the average time for third reading debate for all bills that went through the Liberal government was five minutes. Five minutes was the average time for debate for the entire five-year term. We don't need a lecture about democracy from the member for Kingston and the Islands or anyone else on the other side. This is our fifth day of debate on this bill. That would be five days times two and a half hours, plus two days in committee. I think that goes a tad beyond the five-minute yardstick that the Liberal Party established in 1989 as being sufficient for debate, and not just on this but on every issue. It didn't matter if it was education or health care or law-and-order issues, the average bill was debated for five minutes at third reading. They should be ashamed of that record, and I am astounded they would ever want to bring that up in this House.

The bottom line is that the submissions we heard in committee were very clear. We heard from very reputable Canadian artists, the likes of Ken Danby, and Canadian icons. No less than Pierre Berton came out in defence of what the government is doing, a man who in his own submission said that it's not every day that he agrees with what our government does. But on this issue he couldn't have been clearer: he agreed categorically that what had been done to the McMichaels in 1989 had to be undone. If there was to be any sense of fairness and any sense of justice, any sense of honouring a promise, then we were on the right path, and he endorsed that unequivocally. I must say I thank Mr Berton for taking the time to come and appear before our committee, and people like Ken Danby.

In their zeal to add all sorts of weird and wonderful reflections on what passes for art but does not pass for part of the original vision the McMichaels had for Canad-

ian art, they have never purchased a Robert Bateman. They don't have any Ken Danbys. They don't have any Michael Dumases. So the very art that Canadians all across this country are indicating with their cold hard cash are the works of art that they value, that they say are consistent with our heritage and our culture, that express the Canadian way of life better than anything else, not one of those works of art has been purchased, thanks to what has been done to the McMichael board by the member opposite and his colleagues back in 1989. It is desperately needed. We have to get back on focus.

We've heard for years now that the attendance has been declining. The member opposite, who spoke so passionately for an hour, who damned us ad nauseam, failed to mention that he was the actual minister who oversaw the McMichael art gallery and he didn't seem at all concerned during those years that the attendance was dropping, that they were losing money, that somehow that shouldn't be considered when we talk about whether or not McMichael was being consistent with its original vision. Of course the people of Toronto, the GTA and all across Ontario, not to mention tourists, were voting with their attendance dollars. They saw that it had lost focus. They saw that whatever it was that drew the bigger crowds in the 1960s, 1970s and early 1980s had changed.

We heard submissions in committee. One gentleman, whose mother had opened a very famous restaurant called the Doctor's House in Kleinburg and who had operated it for many years, suggested that along the way the loss of focus had started to hurt the other businesses in Kleinburg. But he made one other very poignant observation. He convinced his late mother back in 1982 to donate a very expensive work by Lawren Harris. Group of Seven paintings are consistently selling for above half a million dollars. In many cases they've broken the million-dollar mark. I would hate to hazard a guess on what this particular painting would fetch, but it would certainly be well into six digits. That work of art has sat in the vault for 18 years. So when the member opposite suggests that there might be a need to put some of the modern art down in a vault and that that's a damnable turn of events, let me suggest to him that taking something that was consistent with that original Group of Seven vision, that was donated by someone 18 years ago, that has never seen the light of day, leaving that buried in the vault is even more damnable. He should be ashamed that in his five years nothing was done to respect the donations that were made by conscientious contributors to the McMichael gallery, no less the McMichaels themselves.

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The bottom line, as I said, is that we must get back on track. We must respect the original decision and the promise that was made to the McMichaels. It is utterly staggering to us on this side when we hear the kinds of comments from the members opposite that this bill somehow gives the McMichaels all the power. Math class may be a few decades ago to the member from Sarnia, but they are two members out of five on the art

advisory board. I don't think two can outvote three and I would very much appreciate her explaining in what circumstance that might take place.

But even then, the only power that the art advisory board has exclusively to itself is the ability to designate if an artist is consistent with the overall thematic offerings that should be presented at the gallery. They are not in a position to determine the disposal of artwork or the acquisition of new artwork. They can't set budgets. They can't hire and fire staff. They can't do anything in terms of the day-to-day operation save and except they can pass their views on as to whether or not an artist should be allowed to represent their works there.

In that context, that is not an excessive offering to Mr Michael. He was, and his wife was, a member of the original art advisory committee, something which was done away with by the Liberals in 1989. To simply restore that and allow him some input, for whatever number of years remain to him, I don't think is at all inappropriate. I am quite proud to be part of a government that would bring back the original spirit and most, if not all, of the original content of the promise that was made to Mr McMichael and his wife.

I know my colleague wants to offer the final comments here tonight. I can tell you that, having chaired the committee hearings and heard all the depositions, I was completely unconvinced by those who suggested to us that those who are at the public trough are the best people to pass judgment on what is or is not art.

I will take my direction from the people themselves, the people who were going to the gallery but are not now, the people who buy other works of art that are not represented. I think their views are the views we're expressing through this bill. We are representing the majority interest in Ontario. We are doing the right thing. We are keeping a promise.

Mr Galt: Thank you very much for the opportunity to wind up debate on third reading of Bill 112, the McMichael bill.

We've heard a lot and the public recognize this government is doing what it said it was going to do. Even stretching it further, we're taking it back to 1965, to honouring that original contract. That's really a lot of what this bill is about.

Certainly, we believe as a government in the thriving arts and cultural community, to ensure that the best and the brightest remain here. This is certainly a unique situation; I don't think there is any question. What a lot of this is about is returning it to sound financial health.

I just came across some figures—I found them just outstanding, particularly when I see the volume of money that's been going out for this particular gallery. It's almost \$3 million a year, starting in 1990, right after the Liberals brought in their famous bill back in 1989, meddling with the original intent. Then it drops slightly in 1996-97, to \$2.7 million. That continued until this past year—well, it's still at \$2.7 million. That is the kind of money that's being spent on this collection. We believe that getting it back to its original intent and getting it on a sound financial foundation is really what it's about.

When we looked at it this year, they were projecting a deficit at the beginning of the year of some \$300,000 and that has moved up now to some \$2.1 million. This is the kind of thing the Liberals expect and take for granted is going to happen. Just a quote from the National Post back on April 11, 2000, from the former chair: "The deficit arrived like a huge, bloody tidal wave and there was no warning of it."

I think there was lots of warning for some time if they just paid attention to what was going on there. So the end result was David Braley was appointed—a well-respected patron of the arts community, entrepreneur and community leader—as chair of the gallery to oversee the gallery, to oversee the gallery's successful turnaround. Indeed, that is what we need to have happen here.

I can see where the Minister of Citizenship, Culture and Recreation is really coming from: we need to get that McMichael gallery back on a solid foundation. Let's go back to the roots, the wherefores of the McMichael collection, why it was established to celebrate Canadian art. This debate really isn't about art, it's more a debate about getting this whole gallery back on a sound financial basis. We've been into pulling it away from its original intent and have wandered quite a ways away, and that never was the intent of where this was going.

I hear a lot from the Liberals. I want to bring to their attention a crown agency that the federal Liberals have—and I suppose they would be thinking along the same line—the National Gallery of Canada. "In furtherance of its purposes, the National Gallery of Canada has the capacity and, subject to this act, the rights, powers and privileges of a natural person, and in particular but without limiting the generality of the foregoing, the National Gallery of Canada may sell, exchange, give away, destroy"—imagine, they have that in their legislation—"or otherwise dispose of works of art and other museum material in its collection and use any revenue obtained therefrom to further its collection." To destroy—that's under section C. It goes on, under section L: "acquire property by gift, bequest or otherwise, and hold in trust or otherwise expand, invest, administer and dispose of"—"dispose of," I underline—"that property."

You know, this is the kind of thing that the Liberals stand for that is most unfortunate. This started with the Liberals accusing the government of meddling when in fact it was their government back in 1989 which set the gallery down the road to controversy and, as I just went through, some of the financial standings that we had. It was going in the hole approximately \$3 million a year.

This is when the member from Thunder Bay-Atikokan was sitting at the cabinet table and allowing this kind of thing to happen. It was Liberal legislation that expanded the mandate way beyond the original intent. It reneged on the original deal with the McMichaels and it set into motion the eventual court challenge, and that was most unfortunate.

So let's get it straight: first the Liberals reneged on the deal. because that's what the—

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: Based on the resolution passed, I

believe that it's past 9:30 and I believe the House should be adjourned at this point.

The Acting Speaker: It was an agreement that all parties would get equal time on this tonight. We've got about three minutes left, and in order to honour that agreement, I'm going to allow the member for Northumberland to finish his comments.

Mr Galt: So first the Liberals reneged on the deal, and because of that the McMichaels took the government to court, a challenge we which as a government we had an obligation to defend. The lower court's decision of November 1996 was appealed because our positions would be subjected to legal challenges.

We challenged the original court decision because we didn't want the question, "What is art?" left up to a judge, just like we didn't want it left up to politicians, which makes a lot of sense.

I hear the member from Kingston and the Islands. He talks about the great art that's in the city of Kingston. What he didn't tell you about was the infrastructure that he left as mayor of that city, the infrastructure that's underground. It's deteriorating and it's spilling into the Rideau River. That's the kind of environmentalist that we had, the member from Kingston and the Islands, when he was mayor of the city of Kingston. I guess he was only interested in the arts and had no interest whatsoever in what was underground and what was protecting the environment. Let them rust out, let them deteriorate, it made no difference to you, obviously, because just read in the paper, last spring, what was going on in your fine city. Have a look.

The Acting Speaker: Will the member please speak to the bill.

Mr Galt: I was responding to a comment that was made by the member for Kingston and the Islands when

he was talking about it earlier. I'm sorry that maybe I got off track, but I was responding to his comments.

It was Justice Finlayson who reminded us of what was at stake in the middle of all of this controversy. I think what we're looking at here is really getting this back to the original intent. I have heard nothing in this debate, whether it was in committee, in second reading or in third reading, that would change my mind on the direction that it should be going.

Interjections.

Mr Galt: They are yelling across the House, but they really have nothing to offer as to real content and where it should go, other than, being typical of Liberals, wanting to spend, spend, spend. That seems to be their only solution. It doesn't matter whether it's health care, education or back to the McMichael gallery, as long as they can spend, they're going to feel pretty good about it, and that's exactly the direction they want to go. But I can enthusiastically support Bill 112, the McMichael bill, on its third reading.

The Acting Speaker: Mrs Johns has moved third reading of Bill 112. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

I believe we have a deferral motion: "Pursuant to standing order 28(h), I would like to request that the vote on Bill 112 be deferred until tomorrow at deferred votes." The vote is therefore deferred.

This House stands adjourned until 1:30 of the clock tomorrow, November 1.

The House adjourned at 2132.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Halton	Chudleigh, Ted (PC)		
Hamilton East / -Est	Agostino, Dominic (L)		

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Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
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Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
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		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 99A

N° 99A

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 1 November 2000

Mercredi 1^{er} novembre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 1 November 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 1^{er} novembre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

QUEEN'S SCHOOL OF BUSINESS

Mr John Gerretsen (Kingston and the Islands): I rise today to pay tribute to four Queen's University school of business undergraduate students who recently won the prestigious international business competition held in Austin, Texas. They are David Lambie of Orléans, Calvin Lam of Scarborough, Steve Sottile of Thunder Bay and Adria Mucalov of Queensville.

Queen's was the only Canadian team invited to attend the three-day, international competition hosted by the University of Texas and sponsored by the New Jersey-based Gallup Org. Eighteen undergraduate student teams, including defending champions of the University of California at Berkeley, as well as teams from Hong Kong, Scotland, Thailand, Mexico and Brazil, were among those competing. Each team was given 59 hours to prepare a presentation that answered a real business challenge facing the sponsoring organization: "How do we go from a \$200-million revenue organization in 2000 to a \$1 billion-revenue organization by 2005?"

In addition to winning the overall prize, the Queen's student team was awarded the Students' Choice Award by the other participants. Gallup officials were so impressed by Queen's recommendations that they invited the team to present to the company's executive in the near future.

Queen's School of Business is Canada's leading business school and one of the best in North America. As Dr Margaret Northey, dean at the Queen's School of Business, said, "We aim to prepare our graduates for positions of organizational leadership in the business world, and winning this case competition certainly suggests we're on the right track."

Congratulations, Queen's, on taking top honours.

SIKH RELIGION

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): November 11 is the anniversary of the birth of Guru Nanak Dev who was born on this day in 1469 in the village of Rai Bhoe Ki Talwandi, Punjab. Sikhs all

over the world will join in observing this holy day on their calendar.

Guru Nanak Dev founded a religion that is today practised by more than 20 million people around the world and thousands of people in Canada. Sikhism is a way of life based on universal brotherhood. Its objective is to create spiritual kinship and unity among all peoples. It believes that salvation is possible through devotion to God and a moral, responsible and selfless lifestyle.

Because of their strong beliefs and values, the more than 200,000 Sikhs in Ontario have made and continue to make strong contributions to our province. Sikhs care about education and have a thirst for knowledge, coupled with a strong belief in the equality of men and women. They are family oriented and self-sufficient. They give generously to their own institutions and to causes of the general society. Recently, the Guru Nanak Dev car rally in Brampton raised over \$25,000 for the new hospital proposed in my riding.

Let us today reflect on the teachings of Guru Nanak Dev, who proclaimed the oneness of all peoples, religions and cultures. As a Sikh, I'm very honoured to be able to bring greetings to my community on behalf of all the members of the Legislative Assembly of Ontario on this important day. Thank you.

ASSISTANCE TO FARMERS

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): Today I'd like to draw to the government's attention the crisis in agriculture. I've heard from farmers across Ontario and they're telling me the same thing: they need help now. Cash crop farmers have been especially hard hit by unseasonably cold and wet weather, low grain prices and now the astronomical increase in fuel.

I have been speaking to David Bryan, a cash crop farmer in my riding, who told me that last year it cost \$3 a tonne to dry his corn. This year, with the high moisture content in the corn and increased fuel costs, it will cost \$12 a tonne, four times what it cost him last year. I've also been speaking to dairy farmers across eastern Ontario and they tell me that the corn and hay crop produce this year is of such poor quality that milk production has dropped by hundreds of litres.

Commodity prices are at an all-time low, extreme weather has resulted in poor crops, fuel costs continually soar, and now farmers are being hung out to dry by this government. How can a government sit back and watch

as farmers across the province are forced out of business and still have hundreds of thousands of dollars for government advertising?

TAKE OUR KIDS TO WORK DAY

Mr Bob Wood (London West): I rise today to recognize national Take Our Kids to Work Day. Today, thousands of grade 9 students in Ontario and the rest of Canada will spend a day at work with a parent, relative, adult friend or volunteer host. Take Our Kids to Work Day is a national program with participation and support from all provinces and territories. This program has three main objectives: to offer students a view of the work world and to give them an understanding of its demands and opportunities; to allow students to see their parents or volunteer hosts in different roles and responsibilities and understand what they do to support a family; and to emphasize that education goes beyond the classroom and that the preparation of younger generations for the future is a community responsibility.

Grade 9 students were selected for a number of reasons. Provincial curriculum guidelines include career education at this level, and it is an opportune time for students to see the practical side of what they've learned in school. Grade 9 students also make course selections for the following year that could have an impact on their future.

I'm accompanied at work today by my godson, Jeremy Marin, who is grade 9 at London Central Secondary School. Jeremy has campaigned for me since he was four years old. I ask Jeremy to stand in the gallery to be recognized, and ask all members to join with me in congratulating all the young people across Canada who are joining their mentors at work today.

JARVIS COLLEGIATE INSTITUTE

Mr George Smitherman (Toronto Centre-Rose-dale): Last Friday, I had the occasion to attend the commencement ceremony at Jarvis Collegiate, a long-standing high school in my riding going back, incredibly, to 1807. The students at Jarvis Collegiate, the administrators and the teachers have a message for the Minister of Education: it's "stop." It's stop the name-calling and it's stop the divisive tactics which are leading to teachers getting to school with less morale than they ought to.

Jarvis Collegiate is an incredible school. It's marked by the incredible academic performance of students whose beginnings are very modest. Administrators like Pauline McKenzie, the school principal, teachers like Dan Caldwell and Chantal Gionet, incredible students like Julia Lee and Vincent Hong and student leaders like Paul Taylor have come together in a school environment in the middle of Canada's most diverse city and they have achieved extraordinary academic excellence against some of the barriers they face at home. Students who come to that school with challenges around English as a second language meet those barriers head-on. The school

is home to the most diverse communities of students who come together to learn and achieve academic excellence and go on to some of Canada's finest post-secondary educational opportunities.

This is what is possible in an education system where our government and our education minister reach out and seek to have teachers who bring everything they can to their job. Instead, the Minister of Education makes it really tough to get up every morning to do your best work on behalf of students.

LABOUR DISPUTE

Mr David Christopherson (Hamilton West): I rise today to give voice to the 200 strikers at the community care access centre, many of whom are here today in the public gallery. They have been on strike now for 23 days, fighting for a decent and just collective agreement. By comparison to their colleagues in other CCACs, they have less benefits and a wage differential of upwards of 15%. As a result of that, I want members of the government to be aware that in 18 months they have lost 30 employees. That has a significant impact on their ability to provide the kind of service they want and that we expect for Hamiltonians. Right now, two case managers are responsible for anywhere between 300 and 450 patients a day. If one of those case managers is away, the other one is expected to carry all those caseloads.

You, the government of the day, have a responsibility to step in. You have provided some money during the VON strike, but it was only toward the deficit and it was only half the deficit at that. These workers deserve decent wages, decent benefits, and they deserve parity. This government has an obligation to step in and provide the dollars and the leadership necessary to resolve this crucial health care issue in the city of Hamilton.

1340

EVENTS IN DURHAM AREA

Mr John O'Toole (Durham): As you know, I routinely get up in the House to announce important community events in my riding of Durham. Well, today is no exception. The most recent event is the upcoming annual Quilt Heritage Week, which runs from November 6 through November 11. It is a no-miss event.

Quilt Heritage Week was started by two local merchants in downtown Bowmanville, Rick and Carole Gould, who wanted to give people an opportunity to view the work done by so many talented artists in this new medium, in the community as well as across Ontario and even as far as away as British Columbia and New England. The Goulds are also working with the Bowmanville Business Improvement Area and with many local volunteers who have contributed much time and effort into making this event an annual success.

This year there are 386 quilts and wall hangings on display throughout Bowmanville's downtown area. I might add that I have a very spectacular quilt displayed

in my constituency office at 75 King Street in Bowmanville. It's a must-visit location.

There is also going to be a three-day show at Trinity United Church, as well as ones being coordinated at the Bowmanville Museum by curator Charles Taws at the town hall. The quilt show is also showcasing a quilt which is on display at the Atrium of the CBC building. Also, the Armistice Day quilt will be on display at my office.

I encourage all members of the House to visit the show. It's a must-see; you will enjoy it. Drop into the office when you're there.

TAX REFUND

Mrs Sandra Papatello (Windsor West): If the people from Windsor would like to know where my \$200 cheque is going, it is going to my local hospital. Let me tell you why. I have people in my riding who are waiting over a year for knee surgery. One individual in particular is now on the welfare system because he can't get his operation on time.

We have a litany of choices of where we could send Ontario tax dollars, including our local schools.

Here's a picture of a boarded-up urinal. Why? Because our Windsor public and Catholic boards have had their maintenance budgets cut by this same government. Here are several pictures of washrooms that aren't working, of hallways that are dirty because they now have schools with one janitor on staff, and students have got to parade through these hallways that ought to have a broom swept through them.

Ladies and gentlemen of Windsor West, if you're curious to know why, I say that there are important places for the Ontario government to put our tax dollars. Our health system and our education system are my priorities, and that's exactly where my tax dollars are going. The benefit is that we even get a tax receipt to boot, over submitting the money to our hospitals, where this government should have given it in the first place, instead of cutting, which was this government's agenda.

ONTARIO ECONOMY

Mr Doug Galt (Northumberland): Since June 1995, more than 768,000 net new jobs have been created in the province of Ontario. Cutting taxes, eliminating waste and red tape and building a climate of opportunity and growth continues to achieve real positive results.

I remember when our critics laughed and shook their heads in disbelief. "Tax cuts don't work," they said. "There isn't too much red tape," they said. But the proof is in the pudding.

A company by the name of Great Dane Ltd Partnership from Chicago is holding the official sod-turning of their new trailer manufacturing facility in Quinte West next Wednesday. Once in operation, Great Dane will build approximately 6,000 trailers per year and it is estimated they will employ 500 to 600 local residents.

I strongly believe that it is the climate we've created in Ontario, combined with the co-operation of the newly amalgamated city of Quinte West, that brought Great Dane here. The icing on the cake is that these jobs did not come from Chatham or Ottawa or some other Ontario city, they came from Savannah, Georgia, USA.

I extend my heartfelt congratulations to Mayor Jack Arthur and his council and staff for doing such a marvellous job in welcoming Great Dane Ltd Partnership into the community.

I also commend this government for attracting investment and for providing a better quality of life for hard-working Ontarians.

VISITORS

Mr Garfield Dunlop (Simcoe North): On a point of order, Mr Speaker: Today many people are celebrating bring your children to work day. With us today in the gallery are children whose parents work at the Ministry of Community and Social Services. I'd like to introduce Chantelle Krurka, Samantia MacDonald, Mark Houghton, Amanda Hopkins, Fauzia Moosa, and from Simcoe North, Nicholas Seymour and Steven Trzoch, both of Orillia. With them are Sylvia Verrecchia and Shamane Halley. I'd like to introduce them and say welcome.

The Speaker (Hon Gary Carr): We welcome all our fine students.

ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

The Speaker (Hon Gary Carr): I beg to inform the House that I have today laid upon the table the 1999-2000 Annual Report of the Environmental Commissioner.

VISITORS

Mr Tony Martin (Sault Ste Marie): On a point of order, Mr Speaker: I want to bring to the attention of the House today that we have a delegation here from the wonderful city of Dublin, from the chamber of commerce there. Perhaps we could welcome them.

Mrs Marie Bountrogianni (Hamilton Mountain): On a point of order, Mr Speaker: In the gallery are Pam Clark and Jennifer Wilson of OPSEU Local 274 of the CCAC from Hamilton. Welcome.

The Speaker (Hon Gary Carr): The galleries are very full today.

Mr George Smitherman (Toronto Centre-Rosedale): On a point of order, Mr Speaker: I know all members would want to join with me in welcoming the great big class from De La Salle College school, including the sister of one of our pages. Krystyna Samoraj is here, she's Andrzej's sister. I'd like to welcome them.

Mrs Sandra Papatello (Windsor West): On a point of order, Mr Speaker: This is bring your sons and daughters to work day. We have several sons and daugh-

ters who've come to spend the time with MPPs. They are Shaun Tyler, Matt Keiser, Melissa Nester, Suzi Dumitrescu, Jalyssa Mills. I would like to welcome them to the House today.

Mr Dave Levac (Brant): On a point of order, Mr Speaker: Not to break with the flow, I'd like to introduce to the House members from Assumption College in the riding of Brant. Some of those students were former students of mine. I see their growth and development. I appreciate the fact that their history teacher-department head, Mr Campbell, has that true sense of democracy and that they want to learn all about this place. I welcome them here to the chamber.

The Speaker: With all our fine guests here today, I'm sure the behaviour of the members will be extraordinary.

Ms Frances Lankin (Beaches-East York): On a point of order, Mr Speaker: I don't want to be left out of the festivities. I'd like to welcome and introduce Laurie Orett, my constituency assistant, and her daughter Ashley who are here in the west member's gallery today.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: Just so that no one else in this place feels left out, I'd like to welcome the rest of the people who are here.

INTRODUCTION OF BILLS

IRISH HERITAGE DAY ACT, 2000

LOI DE 2000 SUR LE JOUR DU PATRIMOINE IRLANDAIS

Mr O'Toole moved first reading of the following bill:

Bill 134, An Act proclaiming Irish Heritage Day /
Projet de loi 134, Loi proclamant le Jour du patrimoine
irlandais.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr John O'Toole (Durham): With unanimous consent we could pass this today.

With respect to the Dublin Chamber of Commerce, who are visiting the brisk economy of Ontario, I'm pleased to welcome them. This bill recognizes the important contribution of the Irish community and its heritage, which is integral to the work ethic and other manifestations in Ontario today. Also, as an operative part of the cultural mosaic, they really belong to all Canadians with diverse backgrounds. We need to celebrate culture, and certainly our House leader, Mr Sterling, knows how important this is to me. I look forward to speedy passage of this bill.

1350

PUBLIC HOSPITALS AMENDMENT ACT (PATIENT RESTRAINTS), 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES HÔPITAUX PUBLICS (MESURES DE CONTENTION)

Ms Lankin moved first reading of the following bill:

Bill 135, An Act to amend the Public Hospitals Act to regulate the use of restraints that are not part of medical treatment / Projet de loi 135, Loi modifiant la Loi sur les hôpitaux publics pour réglementer l'utilisation de mesures de contention qui ne font pas partie d'un traitement médical.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Ms Frances Lankin (Beaches-East York): Every day hundreds of seniors are tied up in our public acute care hospitals, not because it's part of their medical treatment, not because they are a danger to themselves or to someone else, but because they are old and they are confused. It happened to my mom. I know what I'm talking about. This bill seeks to produce a scheme of regulation for our public hospitals that would restrict the use of non-medical treatment restraints. We have such laws for nursing homes and long-term-care facilities; we have such laws for psychiatric hospitals; there's no such law for public acute care hospitals.

This bill seeks to move Ontario to meet other jurisdictions in the protection of the frail elderly.

VISITORS

Mr Mike Colle (Eglinton-Lawrence): I'd like to welcome the family of Raymond Persaud of the riding of Eglinton-Lawrence. The family is here. A special hello to his mother, brother, sister Natasha, Uncle Paul and a special welcome to Raymond's grandparents, Sheila and John.

STATEMENTS BY THE MINISTRY AND RESPONSES

DOMESTIC VIOLENCE

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): As the minister responsible for women's issues, I welcome the opportunity to speak today about the very serious issue of wife assault and domestic violence. The month of November is designated as Wife Assault Prevention Month. The year 2000 marks the 15th consecutive year that the government has observed this month.

Clearly, though we have certainly made progress on issues in those 15 years, domestic violence is still a great

concern to all of us. In these past months we have seen a disturbing number of cases of violence against women and children. In some instances they involved serious injuries and in others they involved death.

Violence against women is an all-too-familiar reality in the province. Sadly, we are reminded of that again and again. A tragic incident is reported in the media or perhaps we hear about it even closer to home. We discover that a neighbour or a co-worker or even a family member is personally suffering from abuse.

Domestic violence is a crime. It is a crime that exacts a terrible toll on individuals, on families and on our communities.

Every woman in this province needs to feel safe in her home. Every woman needs to have access to services that can protect her safety.

Women who are in abusive situations are at great risk of both physical and emotional damage. They often fear for their survival. And they are not the only casualties of this crime. Children are also the victims—the silent victims. Again and again studies show that children whose mothers are abused are at a higher risk themselves of abusing. These children often underperform at school and are more likely to have emotional problems. Even more disturbing, boys raised in violent households are far more likely to grow up and repeat the cycle of violence in their own relationships.

This government will not tolerate domestic violence. We have backed up this message with an unprecedented level of funding. Last year the government spent over \$110 million on programs and services to prevent and address violence against women. This year we are spending approximately \$135 million on this very important issue, and in 2001-02 we are increasing the funding to \$140 million.

No other government in the history of our province has dedicated this level of financial support to combat violence against women. We have made this issue a priority because the government is committed to making our communities safer and committed to supporting the women and the children who are at risk from domestic violence.

Ten ministries have been working together to provide approximately 40 programs and services concerning violence against women. These programs go into our schools to assist children affected by domestic violence: programs that train our health professionals and our teachers to recognize the signs of abuse and respond to the situations effectively; programs that are based in the community, that offer counselling for women and children, that offer shelter for women at risk.

Recently this government announced \$10 million in funding dedicated to domestic violence; \$5 million is being directed toward support for children who have witnessed domestic violence. This year's intervention program is designed to help children understand that the abuse is not their fault and that abuse is wrong. The remaining \$5 million will finance a transitional support program for women and their children. This program will

help abused women to find the assistance they need to establish new lives for their families, lives that are free from violence.

We also recently announced that, through the Investing in Women's Future program, we are doubling, over the next two years, the funding for women's centres in the province, from \$855,000 to \$1.9 million. These are centres that help women to reach economic independence. Many of the clients are victims of abuse. But I want to make the point that these are not women's shelters. Women's shelters provide emergency housing for abused women. The centres I'm talking about today are non-profit community agencies that provide services such as counselling and skills training. They are organizations that equip women with the skills they need to become economically self-sufficient, because often it is financial dependency that traps women into dangerous domestic situations.

On the legal front we're also breaking ground. Our government was the first in Ontario and among the first in Canada to create special courts dedicated to domestic violence. In fact, we have the largest and most comprehensive domestic violence court system in this entire country. We are tripling the number of these courts, bringing our total investment to \$20 million a year. We are nearly doubling the victim/witness assistance program, a service that offers assistance to victims of domestic violence.

Earlier this fall the Attorney General introduced legislation that promised to toughen restraining orders for alleged abusers and to increase protection for victims of domestic violence. I'm proud of this. I'm proud of the leadership role this government has demonstrated and will continue to demonstrate when it comes to issues of domestic violence.

1400

My colleagues and I are committed to addressing violence-against-women issues in a coordinated, effective strategy. We work with each other and with our partners in the community to ensure that our initiatives meet the needs of those women and children who are at risk. Our government believes that giving women the tools and the support they need will enhance their safety. There is, however, much more to be done, and we will continue to work with community partners and to provide the best services possible for women and their families.

I value the perspective of the community groups that deal with domestic violence on a daily basis. I have met with a number of these groups recently, and I have a great deal of respect for the valuable work that these organizations do in providing services to women across Ontario. I continue to look at ways that we can work together to do more to prevent domestic violence.

Women and children all across this great province have the right to live in safety. This government is determined to protect that right. We have a solid record of achievement in addressing domestic violence, and we will continue to build on it. I look forward to the day

when we no longer need Wife Assault Prevention Month because women are finally safe from violence.

Mrs Marie Bountrogianni (Hamilton Mountain): Last year we stood up in this House and proclaimed Wife Assault Prevention Month, and yet, one year later, women continue to die at the hands of their abusive partners. Six women and four children died over this last summer and at least three women were brutally beaten here in Ontario.

What has this government really done over the last five and a half years to deal with this tragedy? Let's review the government's progress. Many women's centres have had their funding cut. On September 21, four centres were notified by fax that their base funding was to be cut by October 1. The rape crisis line has had 5% of its budget cut. It fields 25,000 calls and misses some 50,000 to 75,000 additional calls. Millions have been cut in funding to emergency shelters, and funding for second-stage housing was cut. I want to acknowledge the presence of the delegation from Second Stage Housing in the members' gallery.

By de-funding women's shelters, the government contributed to last summer's tragedies. I was at London's Women's Centre two weeks ago. For every woman admitted, two are turned away. There's no room. If these women don't have family and friends to turn to, where do you expect them to go?

Again, what has this government really done to respond to last summer's tragedies? They reannounced last May's \$10 million to assist women and children who are victims of domestic abuse. Welcome as this money is, it was taken from front-line services. We need to restore full funding to offer a full spectrum of services. Second-stage housing funding needs to be restored. This is where women and children stay for a significant length of time. This is where counselling should take place. Research study after research study has shown that sending kids out to counselling is not efficient. They don't have the means to get there. Send the counsellors to where the kids are.

The narrow focus of eligibility for the funding that was announced has left out and cut out centres that provide really positive support for women who are not yet ready to enter the work force, especially if they are new to the country, and supports to get information about their communities and how to get involved in them.

Minister, you have abandoned the women who need other forms of support. The funding for job training is welcome, but when you are terrified for your life and for your children's lives, you're hardly in the mental state to be looking for job training. I don't know what world the government is living in—a very nice one, but one that many women in this province just don't share. Women are dying and you are talking about jobs and the economy. They have to be safe first before they apply for these job training programs. Surely this qualifies as common sense in your dictionary.

In September the cross-sectoral group put together a list of emergency measures. My leader, Dalton

McGuinty, signed the accord; so did the leader of the third party. You sent a parliamentary assistant; you didn't even have the courage to come yourself. The Attorney General, at his announcement of the domestic violence bill, did not even know about this list. This is hardly a coordinated, effective strategy.

With respect to the domestic violence bill, this is welcome. The Liberal Party welcomes any step toward reducing domestic violence, but what we are learning at the hearings is that the government must ensure that women know about the orders and how to use them; otherwise the bill will fail.

The government must increase its support for community-based women's services and groups: women's shelters, second-stage housing programs, women's centres and community neighbourhood groups that provide first contact; 75% of abused women do not go to the police and will not be assisted by this bill.

Even if women use this new bill, for it to be effective women must have access to adequate legal aid. It's not available now. Interpretation services need to be expanded.

If you really want to make a mark and begin to truly solve this problem, endorse the emergency measures, the way we did, the way the NDP did. As well, educate women on how to use this bill, increase legal aid, increase counselling. One study showed that one in four children in abusive families believe that it's OK for their mother to be abused if the house is messy. None of these children believed that after counselling.

Educate the crown attorneys, court staff, JPs and judges about Bill 117. Experts are telling us at the hearings that it won't work if you don't do this.

Build affordable housing—you washed your hands on this issue—and restore funding to second-stage housing. Where are these women supposed to go?

Without this, women will continue to die; children will continue to live at risk of the same fate or grow up broken, confused, angry, and eventually violent. Nothing will change and we'll be back every November 1 in this House espousing virtuous but vacuous policies, and the tragedies will continue.

Minister, vulnerable people are real people too—very real people. Please, let's all get together and solve this problem in a truly coordinated fashion.

Ms Frances Lankin (Beaches-East York): I can't think of anything more inappropriate than what the minister did today. To stand and attempt to list what she calls the achievements of her government on this issue—this from a government that's refused to respond to the emergency demands that have been brought forward and endorsed by over 120 women's organizations and that would save women's lives, save children's lives. This is not a day for celebration of the government's self-claimed achievements. This is a day for mourning.

This is a day for mourning the blight in our society which is domestic violence. This is a day for mourning the deaths of women and children who are victims of domestic violence. This is a day for mourning the lack of

response from a government that refuses to hear women's voices.

I have said in this House virtually everything there is to say, to plead, debate, argue with this government to respond to the articulated demands, the emergency measures to be implemented this fall to save women's lives. My colleagues have distributed on my behalf to every member of this Legislative Assembly a list of the 40 women who have been murdered by intimate partners in Ontario since the release of the May-Iles inquiry jury recommendations two years ago. I have read the names of those women and the situations that led to their deaths into the record of the Legislative Assembly so that their names, their lives, could be remembered. I've done that. I think there's hardly anything else left to say.

So I want to use the balance of my time to ask members of the Legislative Assembly to join me in silent remembrance of the women and the children who have died as a result of domestic violence and to reflect on what government must do, the actions that must be taken, to truly make progress in saving women's lives.

The House observed a moment's silence.

Ms Lankin: May our silence move the government where our words have not. Thank you.

The Speaker (Hon Gary Carr): I thank the member.

1410

DEFERRED VOTES

McMICHAEL CANADIAN ART COLLECTION AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LA COLLECTION McMICHAEL D'ART CANADIEN

Deferred vote on the motion for third reading of Bill 112, An Act to amend the McMichael Canadian Art Collection Act / Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

The Speaker (Hon Gary Carr): Call in the members. This will be a five-minute bell.

The division bells rang from 1413 to 1418.

The Speaker: Mrs Johns has moved third reading of Bill 112, An Act to amend the McMichael Canadian Art Collection Act. All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Beaubien, Marcel
Chudleigh, Ted
Clark, Brad
Clement, Tony
Coburn, Brian
Cunningham, Dianne
Gill, Raminder
Guzzo, Garry J.
Hardeman, Ernie
Harris, Michael D.
Hodgson, Chris
Hudak, Tim
Johns, Helen
Kells, Morley
Klees, Frank

O'Toole, John
Ouellette, Jerry J.
Palladini, Al
Runciman, Robert W.
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.

DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Eves, Ernie L.
Flaherty, Jim
Galt, Doug
Gilchrist, Steve

Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan

Tilson, David
Tsubouchi, David H.
Turnbull, David
Wetlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David
Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Crozier, Bruce
Curling, Alvin
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Kennedy, Gerard
Kormos, Peter
Lalonde, Jean-Marc
Lankin, Frances
Levac, David
Marchese, Rosario

Martel, Shelley
Martin, Tony
McGuinty, Dalton
McLeod, Lyn
McMeekin, Ted
Peters, Steve
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 51; the nays are 35.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ORAL QUESTIONS

ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. Today the Environmental Commissioner issued another damning report on your failure to protect our air and our water. The report makes it perfectly clear that when it comes to protecting our natural environment, you and your government are missing in action. Not only are you not acting when it comes to protecting our environment, you're not even standing on guard; you're not even watching.

Further, the report says that not only are you failing to enforce environmental laws, but you are actually breaking them. Just when we didn't think it was possible for you to achieve an even lower standard when it comes to acting as a guardian of our environment and of our children's heritage, we learn today you have taken it down another notch. The Environmental Commissioner says, "The Ontario Realty Corp broadly disregarded environmental legislation." Premier, I want you to tell us now, how does it feel to be responsible for a government that has gutted the ministry, gutted environmental law, and in fact now is breaking environmental laws?

Hon Michael D. Harris (Premier): I am pleased to have the opportunity to respond to the question. Let me say that, yes, we're aware the Environmental Commis-

sioner has released his report today. I want to tell you that we on this side of the House welcome the report. We appreciate that it's thorough, we appreciate its constructive advice, and I want to tell the Legislature that we will carefully consider its recommendations.

While the facts of the matter are that our government has taken unprecedented steps to protect the environment, we recognize that much work needs to be done. We share, for example, the Environmental Commissioner's concern about the environment. We agree with the need for openness and transparency in the development of programs. As you know, Mr Miller served many years with the Ministry of the Environment, so he brings a unique perspective on what's wrong there, and recommendations on what we need to do to correct some of those things. We welcome that, and we think it's very constructive and very helpful.

Mr McGuinty: Premier, the issue here isn't the Environmental Commissioner's record, it's your record, it's your failure to stand up and protect our environment, our children's heritage. Governing is about making a few choices. This report makes it perfectly clear where you stand when it comes to making some very fundamental choices.

When you sold government land on the environmentally sensitive Oak Ridges Moraine, you didn't side with the environment, you sided with the developers, and worse, you broke the law to do it. I'll tell you why this is particularly interesting to me. Back in April, when I raised concerns about the ORC's sales on the moraine, your Chair of Management Board assured me, "The proper steps are being taken."

Well, I can tell you, Premier, we now learn that in fact the proper steps were not being taken. My question to you is, how can Ontarians expect to have any confidence in you and your government when it comes to standing up for the environment?

Hon Mr Harris: Let's hear from the Chair of Management Board himself.

Hon Chris Hodgson (Chair of the Management Board of Cabinet): We on this side of the House do welcome the Environmental Commissioner's report and the opportunity it brings to review and improve current practices. I've made it clear to the Ontario Realty Corp it's my expectation that they comply with the legislation. In fact, when the commissioner first brought this issue to my attention, to my deputy's attention back in May, we took immediate action. I wrote a letter to the chair of the ORC advising of the commissioner's concerns, and I directed the board to ensure that the ORC is following the legislated environmental requirements.

My deputy minister, Michele Noble, wrote to the Environmental Commissioner in July of this year and pointed out, in direct reference to the Leader of the Opposition's question—for example, the deputy minister informed the commissioner's office that the ORC did not market, rezone or subdivide environmentally sensitive government-held lands during the 1999-2000 reporting period. She also informed the office—

The Speaker (Hon Gary Carr): Order. I'm afraid the Chair of Management Board's time is up. Final supplementary.

Mr McGuinty: It seems to me that the Chair of Management Board doth protest just a bit too much. When it comes to having to decide who we are going to trust here, you or the Environmental Commissioner who stands up for the environment, we are with the Environmental Commissioner.

He specifically said that the Ontario Realty Corp—
Interjections.

The Speaker: Stop the clock. Order. The leader of the official opposition. Sorry for the interruption.

Mr McGuinty: The Environmental Commissioner specifically said that the Ontario Realty Corp, a body for which you have complete and ultimate responsibility, has broadly disregarded environmental legislation. He goes on to say that the ORC, obviously under your direction, appears to view government lands as nothing more than garage clutter. We have a different view on this side of the House and in my party. You should know that we've been working long and hard to put into place a new law that protects the environment and particularly protects the moraine. All along, while we've been working for a new law, you've been fighting to breach the old laws.

I'll ask you again, Premier: how can you expect us to have any confidence when it comes to standing up and protecting our environment?

Hon Mr Hodgson: That was a great speech. Unfortunately, let's stick with the facts here. I quoted the Deputy Minister of Management Board's report, and it is in response to the Environmental Commissioner's report, which we welcome, which has a lot of good advice. We fully expect the Ontario Realty Corp to be in compliance with the laws. I put that in writing to the board back in May, when we first found out about his concerns, and we are taking action. But the deputy minister did point out on July 14, in her response to the commissioner's draft report—she also informed the office that the ORC offered several landlocked parcels in the Oak Ridges moraine that were surplus remnants at the Highway 404 construction for sale to the adjacent owners only. She also pointed out the ORC did transfer one environmentally significant parkway belt parcel, but it was transferred directly to the Toronto and Region Conservation Authority.

The Speaker: New question. Leader of the official opposition.

Mr McGuinty: My question is for the Premier. The Environmental Commissioner, in his report today, stated that you still don't have a plan to protect our water. In fact, this is the fifth year running that the Environmental Commissioner in our province laments the fact that your government has yet to produce a comprehensive ground-water strategy. You have ignored all of the warnings that have been put forward in the past.

There's one specific here that I would like you to focus on today. The commissioner has reported that you still don't have a plan to set or enforce environmental

laws to govern intensive farms. Despite the fact that seven people have lost their lives in Walkerton, we still today in Ontario don't have a law on the books that's protecting our water and, in particular, we don't have a law governing intensive farming.

Knowing those risks, Premier, why do you continue to fail to act to protect our groundwater?

1430

Hon Mr Harris: You are quite right: there is a dearth of legislation on groundwater across Canada. That is why, even before Walkerton came to light, we had an interministerial committee at the parliamentary assistants' level, from both the Ministry of Agriculture and Food and the Ministry of the Environment, consulting with affected parties and groups, including conservation authorities and environmental groups, on how we could have leading-edge and comprehensive legislation, really the first of its kind in Canada in a substantive way, that would be meaningful for this province. So we began the process even pre-Walkerton, and of course post-Walkerton we've continued those consultations.

To suggest that we have not recognized that we need to do something in this area, particularly in the area of intensive farming, is just not true. We are working on bringing it—

The Speaker: Order. The Premier's time is up. Supplementary?

Mr McGuinty: Coincidentally, the Environmental Commissioner commented on just those kinds of so-called progress reports. He says specifically on page 34 of his report that the government has "misused progress reports as public relations exercises." He's telling us that you're all spin when it comes to actually doing something about the ministry and about the environment.

On the subject of intensive farming, the Environmental Commissioner was very explicit and specific today. He tells us that when it comes to protecting our water, that responsibility lies solely with the Ministry of the Environment. You're telling us you want to download that responsibility on to our municipalities, in the same way you downloaded responsibility for water testing on to our municipalities.

I want to put a question to you now, and it's very direct, Premier: do you not believe, given the advice offered today by the Environmental Commissioner, that responsibility for setting a province-wide standard for intensive farming and its enforcement lies with the Ministry of the Environment and not with our municipal partners?

Hon Mr Harris: First of all, let me correct the record on something the member has talked about. As to his position on the Environmental Commissioner, at first it was the worst choice in the history of environmental protection—no confidence. Now we are pleased to see you have confidence in the Environmental Commissioner. Second, he suggests we are not taking any action. Of course that's very inaccurate and simply not true.

In addition, while we agree with the Environmental Commissioner that this is a matter for the Ministry of the

Environment, I'm surprised that you would want us to proceed unilaterally without consulting with farmers, when it will affect them. We on this side of the House do like to consult with all affected parties—

The Speaker: Order. The Premier's time is up. Final supplementary?

Mr McGuinty: The Environmental Commissioner has been very clear on this issue, and you have been consulting for a long time on this matter. We need an answer, and we need it today. The Environmental Commissioner is telling us that responsibility for protecting our water, for setting standards and for making sure we've got a province-wide standard when it comes to intensive farming, must lie with the Ministry of the Environment. You have told us in the past that it's your intention to download this responsibility on to municipalities, in the same way that you downloaded responsibility for water testing on to our municipalities.

What I want to know today, given what happened in Walkerton, given the growth of intensive farming operations throughout the province of Ontario, do you or do you not intend to place full responsibility for establishing a province-wide standard for intensive farming in Ontario? That's the kind of thing that should lie with the Ministry of the Environment and not municipalities.

Hon Mr Harris: We agree with the Environmental Commissioner. I don't know what it is you think we've told you. We've said we're consulting. The legislation has not been brought forward. We are working hard to consult and get it right. I understand that there are those who wish we could retroactively get legislation in place, who wish that former governments had, that our government had. But the fact of the matter is that we are consulting in a very meaningful way. We agree, when it comes to groundwater, the Ministry of the Environment must be the lead agency to develop the legislation to bring forward. I'm just surprised, and I will pass on to farmers, that you don't think they should even be consulted.

The Speaker: New question.

Ms Marilyn Churley (Toronto-Danforth): My question is to the Premier. Without even mentioning Walkerton today, the Environmental Commissioner's report gives us evidence that shows your government is guilty of a conscious and systematic policy to not protect the environment and our health. Even your friend Mr Miller says that your cuts to the ministry killed its corporate memory, devastated morale and left it without the expertise needed to protect the environment. Premier, in case you thought you could get away with it, guess what else Mr Miller had to say? He says that the public sees through what you are doing and that their confidence continues to decline.

Now that Gordon Miller appears prepared to tell the truth about your government, are you about to fire him like you fired Eva Ligeti, or will you start protecting the environment by bringing back 500 of the 1,000 staff you fired?

Hon Mr Harris: I'd like to thank the member for the dissertation.

Ms Churley: Premier, listen to what the commissioner had to say.

Every Environmental Commissioner's report since 1995 has called for a coherent, comprehensive groundwater strategy. You haven't done it, Premier.

No effective ecosystem monitoring. You failed to meet your obligation to clean up the Great Lakes.

No strategy on climate change, despite what the minister had to say.

No action on smog, and no support for public transit.

No strategy to curb hazardous waste.

The commissioner's report is called *Changing Perspectives*. It should be called "You're still screwing up, Premier."

I ask you today, are you going to take this report seriously, and what plan do you have in place to remedy these very serious accusations today?

Hon Mr Harris: I think the previous response was appropriate to the question and the supplementary.

Ms Churley: Premier, when you came into power you gutted the NDP's green Planning Act to help your developer friends, but gutting the Planning Act wasn't enough for you. The Environmental Commissioner says the Ontario Realty Corp treats environmentally significant lands like clutter to be sold off in a garage sale. The law says that the ORC has to go through an environmental assessment process before it sells off such lands. We know that they sold lands on the Oak Ridges moraine, yet there was not one single environmental assessment. It looks like your ORC has been breaking the law, Premier, so I ask you three things: will you call a full, independent investigation, and will you put a moratorium on the sale of all ORC lands, and will you call on your minister responsible for the ORC to step aside until the full independent investigation is complete?

Hon Mr Harris: I think the minister has fully responded to the issue that was previously raised by the Liberal Party. Perhaps the member was so busy drafting her question she didn't hear the response, but Hansard will have it. The same response applies.

I might also indicate that the member talked a lot about groundwater strategy, anti-smog plans. As you know, we've been making announcements on a pretty regular basis on some of the toughest regulations in Canada, including groundwater initiatives, with dollars attached. Those are a number of areas we've taken, including our proposal—and I hope when we do bring in legislation it will be the most comprehensive in Canada. I hope we can count on all members for support.

1440

KING'S HEALTH CENTRE

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. I want to return to the King's Health Centre and I want to know if today you will tell us when the last inspection took place and what

your government found. The public want to know what's going on with the King's Health Centre. It's mired in controversy. There are allegations that cue-jumping took place. There are allegations of contravention of the Canada Health Act. None of those allegations have anything to do with the fraud investigation that's going on, and yet you're hiding behind that fraud investigation, refusing to say anything.

What we do know is that the number of inspections that have taken place, the outcome of those inspections and whether there have been any complaints is being kept under lock and key by your government. You have access to this information and you have a responsibility to share it with the public. The questions that are being raised are reasonable. Will you today tell us when the last inspection of the King's Health Centre took place and what your government found?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I don't think the former Minister of Health appreciates the new fraud squad that we have set up within the Ministry of Health, which is made up of OPP officers whereas during the time of the NDP government it was civilians doing the job.

Let me talk to the King's Health Centre. The King's Health Centre does not have a funding relationship with the Ministry of Health and Long-Term Care. The physicians who are in the King's Health Centre who provide insured services to insured Ontario residents may bill the Ontario health insurance plan. The King's Health Centre is not a private hospital or a licensed, independent health facility. The ministry does not regulate doctors' offices and that has never been the case.

Ms Lankin: Minister, the ministry does receive complaints. The ministry is responsible for ensuring that there are not contraventions of the Canada Health Act. The ministry is responsible for ensuring that there is not cue-jumping when OHIP is involved or when a private clinic and private doctors are providing services to private companies on their contract. All of that is your responsibility.

If it's possible at all that you hadn't heard about these allegations before yesterday, since yesterday you surely should have investigated them. None of those allegations have direct relevance to the fraud investigation. You can't hide behind the fraud investigation. You can demand and should demand, and it's your responsibility as the minister, access to the information of what was in those contracts with those corporations and whether there was a violation of the Canada Health Act. Have you done that? Will you provide the public with those contracts? Will you tell us what your investigations have uncovered, Minister?

Hon Mrs Witmer: I don't think the member clearly understands that there are certain rules and certain regulations, nor does she understand that the Toronto police are currently conducting an investigation and that our fraud squad, our OPP officers, is involved in the investigation. Surely the member must know that all police investigations are conducted at arm's length from the government, as this one is.

ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

Mr James J. Bradley (St Catharines): A question for the Minister of the Environment: yet another report has come out. You've seen several reports that have come out that are critical of your ministry. Now the Environmental Commissioner has once again had a report critical of you.

His report, as well as the auditor's report, you'll remember, talks about a failure to do anything meaningful with groundwater; insisting there was a moratorium on water-taking permits when in truth there was not; repeatedly embarrassing Ontario in international forums by balking at meaningful efforts to improve air and water quality; poor leadership in land-use planning, leading to urban sprawl; poor leadership on groundwater contamination; poor leadership on air quality. In fact, he says you claimed you were doing something but these emissions have not been achieved and the emissions have risen dramatically between 1996 and 2000.

Bringing in Valerie Gibbons to do your job and bringing in Paul Rhodes, the Premier's good friend, to be the chief spin-meister, is not going to solve this problem. What is going to solve this problem is getting you the appropriate resources and clout and staff to do the job. Will you now agree with the Environmental Commissioner, who says you do not have (a) the proper funding, (b) enough staff, and (c) the appropriate clout and authority to do your job, and that's why Ontario's environment is in such a mess?

Hon Dan Newman (Minister of the Environment): I say to the member from St Catharines that this government is indeed committed to protecting and improving Ontario's environment, and we welcome the Environmental Commissioner's report of today. The report is very thorough, and it also provides important constructive advice to the government. As always, we will ensure that the recommendations are carefully reviewed and analyzed.

With respect to groundwater—the member raised that question—I want to say to him that he knows there is a \$6-million investment this year, over a three-year period, to establish the groundwater monitoring network. We're working with conservation authorities to establish 400 monitoring wells across the province. This monitoring will ensure that we can see water quality parameters being monitored, as well as water levels, to give us information regarding groundwater conditions in our province. In fact, back in 1997 we established the \$200-million provincial water protection fund, which helped municipalities upgrade their water and sewage infrastructure. Under that very fund, money was available for groundwater studies.

Mr Bradley: I'm talking about the Environmental Commissioner's report. This person is supposed to be neutral and is neutral. He's provided a report that condemns virtually everything you happen to say.

I've got a solution for you, Mr Minister. I heard some news media people asking you the question, are you capable of doing the job and are you the right person for the job? I want to ask something differently. I believe that a minister cannot do the job if he does not have the appropriate resources. In other words, you've had one third of your staff cut, 45% of your budget, and all your clout taken away. Why don't you go to the Premier of this province, who makes all the decisions, and tell him, as the Environmental Commissioner has, that you want (a) the funding restored to your ministry, (b) the staff restored to your ministry, (c) the clout and authority restored to the ministry, and (d) the morale of your ministry boosted as a result, and if the Premier will not provide that to you, will not give you the tools to do your job, that you will submit your resignation to him in protest?

Hon Mr Newman: The member for St Catharines ought to know there is a thorough review underway right now of the Ministry of the Environment, headed up by Valerie Gibbons, coming forward with recommendations on ways that the Ministry of the Environment can better serve the needs of the people of Ontario and the environment of this province. We're constantly looking for new and innovative ways to deliver environmental protection, and I very much look forward to her report. But it's quite interesting to see the member for St Catharines talk about the Environmental Commissioner when just last December he was referring to him as a lapdog.

WIFE ASSAULT PREVENTION MONTH

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Minister of Citizenship, Culture and Recreation. Today marks the first day of Wife Assault Prevention Month. We in this House all know this is an extremely important issue to many, many constituents. Indeed, it has been identified as the number one issue by police in Scarborough.

I wonder if you could please tell the women of my riding of Scarborough Centre and indeed those throughout Ontario what this government is doing to help women who are victims of domestic violence.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Can I say that while other governments remain silent, this government has been acting to ensure that the government invests in programs and services that will help the women of Ontario and will get results. That's why this government has doubled funding in the Investing in Women's Future program; we've moved from \$855,000 to \$1.9 million. In fact, we've been getting some good reviews from that. The president of the Sudbury Women's Centre said, "We are pleased that we have been able to secure this funding. We are particularly excited because this year we can provide specialized services in the area of domestic violence specific to the women of northern Ontario"—specialized services that

make a difference for women who are suffering from domestic assault and abuse. That's what this government's all about.

1450

Ms Mushinski: Minister, we know that many women are victims not only of violence but also of poverty. I'm wondering if you could please explain to this House what the government is doing to help eradicate women's poverty in particular.

Hon Mrs Johns: This government is strongly committed to assisting women and their families to participate in Ontario's growing economy and to helping women break the cycle of violence by fostering women's economic independence. This government will not tolerate domestic violence. To do that, we're making sure we have economic independence activities and programs we can use so we can create jobs and so the private sector can create jobs for women in the province.

The Ontario economy is booming, and the benefits are here for all the people. Since 1995, Ontario has gained 768,000 new jobs, and about half of those jobs were created were for women. Last year Ontario gained a record 198,000 jobs, most of them high-paying jobs, with 42% of them jobs going to women. Women in Ontario are actively participating in the new economy that's happening in Ontario—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up.

ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

Mr Mike Colle (Eglinton-Lawrence): This question is for the Chair of Management Board. In this report by the Ontario Environmental Commissioner, he's very categorical. He says that in 1998 your ministry was warned that it was not obeying environmental legislation. Then he says again, "In this reporting period, the Ontario Realty Corp"—which you're in charge of—"has continued to market, rezone, subdivide and sell government land holdings affecting environmentally significant land, including lands in the parkway belt north of Toronto, the Oak Ridges moraine, the Markham-Pickering agricultural land preserve, and the Rouge park areas, all without environmental study or public consultations."

He is quite categorical that you are breaking the law. In fact, the commissioner said to me that you refused to hand over the list of all the properties you hold and the list of all the properties you've sold. I ask you to make that list public right here. Give a copy to the opposition and a copy to the commissioner without any further delay.

Hon Chris Hodgson (Chair of the Management Board of Cabinet): We welcome the Environmental Commissioner's report. He's got a lot of good things in it and a lot of good recommendations which we are following up on. When we first became aware of this, when he contacted my deputy minister in May, I wrote a letter to the board. I stated that to this House; it's in the Hansard.

But in case the member wasn't listening, the Deputy Minister of Management Board, Michele Noble, wrote to the Environmental Commissioner on July 14. It's unfortunate that he did not include that response in his report, but, for example, the deputy minister informed the commissioner's office that the ORC did not market, rezone or subdivide environmentally sensitive government-held lands during the 1999-2000 reporting period. She also informed the office that the ORC offered for sale to adjacent owners several landlocked parcels in the Oak Ridges moraine that were surplus remnants of the Highway 404 construction.

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up.

Mr Colle: I talked to the Environmental Commissioner a half hour ago, and he said you are stonewalling; you are refusing to make public the list of lands that are owned by your realty corporation. You're hiding them; you're blocking them. And then, I'll give you two pieces of land you sold. In fact, on one piece you went to the OMB with a developer—that's on the Bloomington Side-road in Aurora—then there was the Landcrest development. Both are on the moraine. You went to the OMB, pushed for the land to be sold and rezoned into housing.

Why won't you make the list public? The commissioner is asking for the list; we're asking for the list. And we're asking you for one thing: to have a moratorium on the sale of all lands on the Rouge, in the parkway belt and now on the Oak Ridges moraine. Will you agree to at least a moratorium if you won't release the list?

Hon Mr Hodgson: I know the opposition want to make a great big deal of this. This is administrative work, which I agree should be there. As I mentioned, the deputy minister wrote a letter responding to the Environmental Commissioner's concerns, which I will—

Interjection.

The Speaker: Will the member take his seat. The member for Eglinton-Lawrence, come to order. You asked the question. You can't continue to shout across.

Hon Mr Hodgson: I know the member of the opposition is excited on this issue. I will share with him the letter from the deputy minister on July 14, where she went on to point out that the ORC did transfer one environmentally significant parkway belt parcel, but it was transferred directly to the Toronto and Region Conservation Authority. Surely you wouldn't agree with that. The environmental reports of the ORC activities are currently before the board of directors for review, and I expect to receive them shortly. When these reports are provided by the board, we'll be able to release them.

ENVIRONMENTAL LEGISLATION

Mr John O'Toole (Durham): Today my question is to the Minister of the Environment. Minister, a Liberal news release yesterday suggested—

Interjection.

The Speaker (Hon Gary Carr): This is the last warning to the member for Eglinton-Lawrence.

Mr O'Toole: Thank you, Mr Speaker, for helping me there. Yesterday a Liberal news release suggested, "There has not been a single fine levied in two years since the much-touted 1998 amendment the Harris government made to the environment legislation which allowed the government to levy fines against companies who fail to meet mandatory reporting and record-keeping requirements." That's quite a long—actually, it's not a properly structured sentence. Anyway, Minister, would you tell the House today and my constituents in Durham riding what your ministry is doing to ensure that fines are indeed levied.

Hon Dan Newman (Minister of the Environment): The Liberal news release is chock full of misinformation and it's rather light on the facts. One fact they didn't provide was the name of the legislation they make reference to, hence I'll assume they're referring to Bill 82. On February 1, 1999, Bill 82 became law, and it gave the power to give administrative monetary penalties in this province. At the time, it added new powers to the compliance framework, and these powers were exercised to levy fines. In some examples, fines are increasing. In fact, in 1999 a fine was issued to Shell Canada Products Ltd for \$150,000, and the fines levied in 1999 totalled \$1.5 million. In the year 2000, for the first six months of the year, we've already seen fines totalling more than \$1.8 million. These fines go a long way toward getting tough on polluters, and we recognize there's still more to do.

Mr O'Toole: Clearly that quote was somewhat misleading, so I want the minister to—

The Speaker: I'll ask the member to withdraw the word "misleading," please, if you would.

Mr O'Toole: Perhaps it was just false.

The Speaker: Either withdraw it or you're going to be thrown out. Withdraw it when I ask you to withdraw it. We're not kidding around with things like this.

Mr O'Toole: I withdraw, Mr Speaker.

Minister, with the clarity and directness of your response, it was certainly satisfying to know that indeed enforcement and conviction are out there, as you've just stated for the record.

I've heard you talk before about your commitment to ensuring cleaner communities, and certainly this is very important to my riding in Durham, as it is to all members. Minister, could you tell the House today what further actions you're taking to protect the clean air, clean water and clean soil not just in Durham but all over the province of Ontario?

Hon Mr Newman: I thank the hard-working member from Durham for the supplementary question. Prior to the election in May 1999, this government released our Blueprint, which called for higher limits on penalties, including administrative monetary penalties. In keeping with our Blueprint commitment, in Bill 124 we've proposed to increase the limit for administrative monetary penalty from \$5,000 to \$10,000 per day. A draft regulation will be posted on the Environmental Bill of Rights registry that will clarify the scope of contra-

ventions and to whom they will apply. In fact, in 1999, charges laid were up 51% over 1998. There has been a 200% increase in orders issued from 1996 to 1999. In 1998, there were 805 charges laid and 413 convictions. In 1999, there were 1,216 charges laid and 611 charges with convictions. That's a 25% increase in the numbers over a one-year period. No one in this House today—

The Speaker: Order. The minister's time is up.

1500

AIR AMBULANCE SERVICE

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. Minister, why are you allowing new, private air ambulance operators to operate without flight paramedic staff? Last month you issued a request for proposals, an RFP, to privatize the critical-care component of Ontario's air ambulance service. In that RFP, there is a clause, 7(2). It's entitled "Reduced Flight Paramedic Staffing." It allows air operators to request, where necessary for operational reasons, to operate the aircraft with (a) only one flight paramedic or (b) zero flight paramedics.

Where operational necessity requires? That's where it's convenient. This means patients are going to be on their own if the private provider decides it's not profitable enough to send a paramedic along. It's do-it-yourself medicine, and it could be fatal. My question is simple: why are you putting patients' lives at risk?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member knows, there is currently an RFP that has been issued requesting proposals. At this point in time, I have no further information on the status of that RFP.

The Speaker (Hon Gary Carr): Supplementary.

Ms Shelley Martel (Nickel Belt): Minister, the question was, why are you putting patients' lives at risk? This is your request for proposals. You are proposing do-it-yourself medicine, which is not acceptable and completely irresponsible. May I remind you that the air ambulance service we are talking about transports patients with life-threatening injuries. They are victims of motor accidents, of snowmobile and car accidents. They need advanced medical care, and they should be getting that advanced medical care from highly skilled advanced-care paramedics working in the public sector. Your RFP makes it clear that you're ready to leave patients in the back of an air ambulance with no medical attention whatsoever. Minister, will you cancel this ridiculous privatization scheme so that patients will get the critical care they need?

Hon Mrs Witmer: The member probably knows that already 75% of the paramedic staff for air ambulance services is currently provided by the private sector. The RFP will require bidders to submit two proposals: one for the provision of pilots, aircraft and maintenance only; another for pilots, aircraft and maintenance plus the ministry administrative and critical-care-transport paramedic staff. At this point, no decisions have been made.

LABOUR DISPUTE

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Health. Minister, in Hamilton currently there are 200 community care case workers, managers, who are in the fourth week of a strike. Many of them are here today in the members' gallery, and they're here today because they're looking for answers from you to the crisis you have created in Hamilton-Wentworth.

Workers for CCACs earn 14% less than in neighbouring communities such as Niagara. Their benefits have remained at roughly the same level since 1990. They have heavier caseloads. Since March 1998, the difference between the increased funding and the increased caseload has been 25%—25% more cases than the funding you have given them. The crisis we face today—the backlogs in emergency departments, the backlogs in discharge and the fact that these women are on strike—is a result of your underfunding of home care in Hamilton and across this province. We're in a crisis situation. Things are getting serious. Patients are being hurt. Care is not being delivered. You are responsible for that. Can you commit in the House today to the proper funding necessary for these women to go back to work and do the work they're doing, looking after patients in Hamilton?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I would just preface my remarks by saying that as a result of our government's unprecedented investments into community care, Ontario today has the most generous home care program in all of Canada. In fact, we have increased our funding by 63% since 1995. I would just remind the member that home care spending in our province is at \$128 per capita, and in Manitoba, which spends the next highest per capita, it is \$97. I would also remind the member that six of 10 provinces charge co-payments for personal care and homemaking services; we don't charge a fee. But we have increased funding, as I say, by 63%—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up.

Mr Agostino: Clearly the stock answer that you found in your briefing notes has absolutely nothing to do with the question that I asked you about these women and the fact that they're out on strike—in order to help their patients—for better wages, for better benefits, for smaller caseloads so that they can look after patients.

Minister, right now the CCACs in Hamilton overall deal with 10,000 patients per day. In order to meet your wacky underfunding, to meet the funding targets you have given them, they would have to cut out 1,000 home visits per day. That is unreasonable; they're not doing it. These women are on the picket line because of what you have done with home care across this province. Right now the system is bending; it is ready to break. Patient discharging is not occurring at the same rate; backlogs are occurring in emergency departments; and the working conditions and the wages of these women do not even match the areas around Hamilton.

Clearly, it is your responsibility. You control the funding, you control the strings here. Again, I ask you, will you commit today to the proper funding so we can get a proper settlement, so these women can go back to work and look after their patients as they want to?

Interruption.

The Speaker: Clear the gallery. We will have a five-minute recess while the gallery is cleared. I'm afraid the members will have to leave. We're going to clear the gallery.

The House recessed from 1507 to 1508.

Interjections.

The Speaker: The member for Hamilton East, come to order.

Obviously we've had a bit of a disruption here, but hopefully all members will give the Minister of Health their attention.

Hon Mrs Witmer: The member opposite made reference to underfunding, and I am perplexed totally as to why, for five years, when the federal government continued to take money away from the provinces and the territories, this party sat there and didn't fight for any more money for the people of Ontario.

SCHOOL EXTRACURRICULAR
ACTIVITIES

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Education. Last week I spoke with—

Interjections.

The Speaker (Hon Gary Carr): The Member for Peterborough take his seat. Member for Kingston and the Islands, come to order, please. Member for Peterborough, sorry.

Mr Stewart: Minister, last week I spoke with some very unhappy and frustrated students in my riding. These students were members of the Adam Scott girls' field hockey team. These and other students from area high schools set up their own field hockey league with support from their parents. They set up a proper schedule and held their own tournament with qualified officials. In fact, the students I met with won the tournament. They did this without the help of teacher volunteers.

I was disappointed to hear that they may not be able to compete in the provincial high school championships, OFFSA, because there is no teacher supervision at their own tournament. Let me say these students are upset and disappointed. They have reason to be upset. They are young athletes who practise hard and deserve the chance to compete. Minister, what can I tell these students? What are you doing to ensure that these students, all students, can participate in sports or drama or clubs or any other activity?

Hon Janet Ecker (Minister of Education): Thank you to the member for Peterborough, who has been meeting regularly with the students in his riding.

The Adam Scott secondary school students are to be commended for the work that they and their parents and the other volunteers have done and they're certainly to be

congratulated for the success they have had. As you know, there are many schools where extracurricular activities are continuing to be provided, but we know that in some communities, unfortunately, teachers have chosen to work to rule and this is denying those students opportunities. Those students are quite rightly frustrated and upset about that. I've been encouraging them to meet with their student trustees. I've been meeting with student representatives and will continue to do that to seek their advice on the alternatives we will be moving forward with.

Mr Stewart: Thank you, Minister, for your answer. It is most unfortunate that these types of obstacles and roadblocks are put up in front of students and parents in this province. I'm disgusted with the situation. I agree that it's important for students to discuss these issues with their student trustees. Obviously, students have very strong feelings when it comes to these activities. Minister, do you have a plan to resolve this situation?

Hon Mrs Ecker: Yes, we are considering the options available to us. I wrote last week to the heads of the trustee associations. I'll be meeting with all our education partners to seek further advice from them, as I have on every initiative we have done, and I will be receiving that advice as to how best to proceed and which of the options we have available to us will be best to make sure alternative solutions are there for those students so they can get the extracurricular activities they deserve.

EDUCATION FUNDING

Mr Michael Gravelle (Thunder Bay-Superior North): My question is to the Minister of Education. We're clearly in a state of crisis in education in our province on a number of vital fronts, but one area that has not received enough attention has been the shocking lack of capital funding support that you're providing, particularly to our northern and our remote boards.

Last January I wrote to you urging your government to act immediately to assist the Superior North Catholic District School Board deal with its critical capital needs. Specifically, I wrote you about St Edward school in Nipigon, which is over 50 years old and in desperate need of replacement, and St Martin/Franco-Terrace school in Terrace Bay.

While parents at St Edward have told me that the building is unsafe for their children, the board is helpless to do anything about it because of your inflexible and totally inadequate funding formula. The roof repairs alone at St Edward would eat up the paltry allocation your ministry has provided to the board this year, an allocation, I might add, that must cover the capital needs for all the schools in the board's jurisdiction.

Minister, I asked you in January; I'll ask you again: when will your government provide the needed resources to the Superior North board so that the children in Nipigon and Terrace Bay can get the healthy and safe school facilities they deserve?

Hon Janet Ecker (Minister of Education): Thank you to the honourable member for the question. As he well knows, we fund school boards in a process for capital that allows them to plan ahead, that allows them to set priorities for those schools that may require additional work. They can depend on that funding. It's much better than the way it was when they didn't know, when they had to apply year by year. Would they get it? Would they not get it? That funding is now available to them based on their long-range plans, based on their priorities. They have flexibility to allocate those resources.

We topped up to give them additional flexibility last year. We are looking at whether we need to take additional steps this year to assist boards in meeting those priorities for capital. We've asked them to submit their plans. Your board should be in the process of doing that. If they have any misunderstanding about what that process is, I'd be very pleased to make sure that staff could acquaint them with that because we want to continue every year to meet the priorities as boards are setting them.

Mr Gravelle: Minister, I think it's important to say that your answer will not please anybody, nor will it give anybody any sense of satisfaction that something will happen in the future. The fact is that this capital funding shortfall is an enormous problem for all northern boards, including the Superior-Greenstone board, as well as Thunder Bay's Catholic and public boards. Obviously your capital funding formula cannot simply be based on student population; you've got to factor in the actual infrastructure needs and you need to be able to relate to that.

The reality with St Edward's school in Nipigon is particularly grim. Parents have been told that at times the school does not meet the minimal safety standards or building code. There is water spurting through the basement concrete during the spring, bulging tiles on the ceilings and stale or musty air that the children must breathe. Clearly this is a major problem.

The frustrated parents who have written me are powerless to do anything about it, and the school board officials are working literally in a straitjacket. We need more than minor Band-Aids; we need new and realistic capital funding from the province or the infrastructure needs of our schools will never be met.

Will you at least acknowledge today that your capital funding formula isn't working for boards in northern Ontario, let alone the rest of the province, and will you commit to fix the problems so that our students can be taught in a safe and healthy environment? Surely that's the least we can expect.

Hon Mrs Ecker: As the honourable member would know, if his school board has told him the accurate facts, we indeed are doing work with school boards to improve how we support capital needs. We have actually had staff on site at many schools.

But the problems that the honourable member is describing about that school, from his description, sound like something that should have been fixed. If there are

health and safety needs, they didn't happen overnight. I would like to ask what the officials in that school board were doing while these problems have been developing in that school over the last several years. They didn't happen overnight.

We are continuing to meet with school boards and working out additional funding arrangements for those boards that require it, depending on their long-range plan, but it's up to those boards to set those priorities, to do those plans, and to manage it in a way that allows them to make appropriate decisions to protect the safety of their children. That is their responsibility; they should indeed be doing that.

CHILD-FRIENDLY COURTS

Mr Doug Galt (Northumberland): My question is directed to the Attorney General. Our government has been doing its part for Ontario children. We have actually set a real track record of helping children get a healthy start in life, for example, the Healthy Babies, Healthy Children program, a province-wide screening program for newborn babies and follow-up support for children.

We've also had Canada's first provincial sex offender registry, protecting some of Ontario's most vulnerable youth. Also, we've increased funding for child care, and it's now up to some \$700 million a year.

But when a child has been victimized or placed in a situation where they must act as a witness, testifying in court can be a very scary and intimidating experience. Minister, have you taken any action to improve our courts to help Ontario's children when they're required as a witness?

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank the member for Northumberland for the question. It is regrettably so that from time to time children are necessarily involved in the court process, both as witnesses and as victims. The step we have taken is the expansion of child-friendly courts around Ontario. These courts are designed to deal with cases involving child and domestic abuse in which a child is a witness or a victim. They create a less intimidating atmosphere, a less intimidating environment, where children can feel safe when they testify.

Since 1997, we've been working to create 15 new child-friendly courts in Ontario, including courts in Toronto, Thunder Bay, North Bay, Ottawa, Newmarket, Simcoe, two in the new courthouse in Hamilton, Welland, two in the new courthouse in Brampton, London and in the new courthouse in Windsor.

Mr Galt: It's certainly a very impressive list of locations for child-friendly courts. However, you seem to have missed out having one in Northumberland.

I can imagine how terrifying and intimidating it must be for a child to participate in a courtroom session. I'm sure many agree that testifying in a courtroom can be a very intimidating experience at any age. Therefore, I applaud your efforts to increase the number of child-friendly courts across Ontario.

Would you please expand on how these courts actually work and what specific measures have been taken to actually make courtrooms child-friendly. Also, Minister, when can I expect to see a child-friendly court in Northumberland?

1520

Hon Mr Flaherty: I thank the member for Northumberland. Not only is there not a child-friendly court yet in Northumberland; I see there's not one yet in Durham region. So there are a couple of matters we need to look into in terms of expansion of child-friendly courts.

The courtrooms are smaller and less intimidating. Most of these facilities offer, very importantly, support staff to children to help prepare them and to provide some comfort both before and during the trial. A screen is available in front of the witness stand that can shield the child from the view of the accused.

My colleague the minister responsible for children and I had an opportunity to visit the child-friendly court in the old city hall in Toronto earlier this year. It is heart-warming to see the support of the staff for the children who are necessarily, regrettably, involved in some of these court cases. One other innovation is special closed-circuit television to let children testify in a room separate from the accused person.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Tony Martin (Sault Ste Marie): My question is for the Premier, who just walked out of the House. I'm wondering if he's coming back.

The Speaker (Hon Gary Carr): Stop the clock. The Premier is close at hand.

The member may proceed.

Mr Martin: Premier, why is your government so insistent on adding insult to injury where the disabled are concerned in this province? Your minister put out a press release just the other day saying that you have no business introducing an Ontarians with Disabilities Act. As a matter of fact, she went further, to suggest that maybe a Web site with practical information in it might be the way to go. Is it your intention, if you get enough in this province printing off material from your Web site, that you would have enough paper to then build ramps for the disabled so they can access facilities in this province? Is that your plan?

Hon Michael D. Harris (Premier): No.

Mr Martin: Then what is your plan? The press release was obviously a cynical ploy. You refuse to meet with the Ontarians with Disabilities Act Committee, who are a cross-section of the disabled in this province. However, when your minister meets with somebody from the business community who suggests that we go with voluntary compliance, she comes out with her press release saying that perhaps that's the way we should go. If voluntary compliance is the answer, why do thousands and thousands of disabled Ontarians face barriers to

workplaces, to movie theatres, to public telephones and other public and private services in this province?

Hon Mr Harris: I'm sorry if you thought anybody was doing anything cynical—I think those were the words in your question, and it's a silly suggestion. Unfortunately, I see a number of your members smirking. I don't know why you don't take this matter a lot more seriously. Maybe it's because you had five years when you were in government and you did absolutely nothing to bring in an act for Ontarians with disabilities. You ignored them completely. I'm very proud of the fact that our minister is consulting in a major way to bring forward a meaningful Ontarians with Disabilities Act, something your government failed to do.

NURSING SALARIES

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. Minister, you will be aware that full-time registered nurses in Ontario at the entry level are being paid \$20.50 an hour. A senior nurse, after eight years of service, would be making a top rate of \$30.24 an hour. Are you aware that hospitals in this province, because they are not able to offer nurses full-time positions because of the uncertainty of their funding, are in many situations hiring nurses from private agencies? They are hiring nurses from private agencies at rates as \$47.80 per hour, which Humber River is paying to SRT. St Joe's in Toronto is hiring from SRT for \$59 an hour. Providence is hiring from SRT and Care Corp for \$35 an hour. North York General is hiring private agency nurses at \$40 an hour. Minister, how is it possible that cash-strapped hospitals in the province of Ontario are being forced to hire nurses from private agencies at rates that are almost double what our most senior experienced nurses in this province are receiving?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member knows full well, our government has provided very generous funding to the hospitals in Ontario. We have encouraged the hospitals to use the resources in order to ensure that they hire permanent full-time and part-time staff.

WORKPLACE FATALITIES

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: I seek unanimous consent to make a short statement. I think I've got agreement from both parties.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Stockwell: I'm sorry to inform the House that today two teenagers who went to work at the John Deere plant in Welland on Take Our Kids to Work Day were killed in the plant doing work around the plant. I think everyone should know that we offer the families our unconditional sorrow. It's a difficult situation, and we would ask for a moment of silence once this is done.

The Speaker: I think there was agreement to have some quick statements as well. The member for Hamilton East.

Mr Dominic Agostino (Hamilton East): On behalf of the Liberal caucus, I join the minister in offering condolences to the families. This is not a moment for political statements; this is a moment for sorrow, when any tragedy occurs in the workplace. However, when it occurs particularly to young people, the tragedy is even more profound for all of us. So today, on behalf of our caucus, I certainly want to add our condolences to the families and the friends who are affected by this loss, not only for the families but really for all of us, when two lives are so tragically taken away from us.

Mr Peter Kormos (Niagara Centre): Needless to say, I was shocked and in an incredible state of disbelief and despair since I learned of this earlier today. I appreciate the Minister of Labour sharing with me the information he only just recently obtained.

I tell you, Welland, the community, is in a state of disbelief and incredible shock and sorrow. I speak, I have no doubt, for every member of that community and throughout the Niagara region in not only expressing our incredible sympathy for the families of these two youngsters, but in attempting to, with our genuine sorrow and with our prayers, provide whatever modest support we can for the families of these youngsters.

I know the workers at that John Deere plant. I know them; I know their families. They are just incredibly decent, hard-working, committed people. They work in the Girl Guide and the Boy Scout movements, they coach the hockey teams and they work hard in their workplace. So you can only begin to imagine the incredible grief that has permeated that workplace, that is shouldered by all of the workers there and that is shared by people in the Welland community and beyond.

I join in this expression of sorrow and sympathy. I also plead with folks in my community to please let the facts be ascertained in a disciplined manner. Obviously crises, tragedies like this, initiate and prompt rumours which travel through small towns at an incredibly rapid pace, and sometimes those rumours result in a misstatement of the facts which can cause harm to people in a way that people shouldn't have to suffer.

I call upon my community of members to please attempt to quash rumour but to understand that right now there's a whole lot of people experiencing incredible pain and incredible sorrow that we can only try to share and help shoulder, that none of us can ever probably even come close to understanding in terms of the visceral blow to the belly that that constitutes for people who suffer this kind of loss.

The Speaker: I would ask all members to stand, and also if our friends in the gallery could stand and join us in a moment of silence.

The House observed a moment's silence.

The Speaker: It is now time for petitions.

Mr Mike Colle (Eglinton-Lawrence): On a point of order, Speaker: Under standing order 37, I'm giving

notice that I am dissatisfied with the answer given to one of my questions by the minister responsible for the Management Board Secretariat.

The Speaker: If you could file the appropriate papers with the table.

1530

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature and it concerns the northerners demanding that the Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I affix my signature to this petition as I am in complete agreement with the 1,000 people who have signed this.

Mr Tony Martin (Sault Ste Marie): My petition is similar to the previous one, to the Ontario Legislature from northerners demanding that the Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is signed by about 300 people from northern Ontario. I will add my signature to it and send it down to the Clerk with Natasha.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): Just as a preamble, it's a pleasure to see the member from Peterborough in the chair. I think it suits him very well. In the future, I hope you're here to serve in that position.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together" tirelessly "to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

I'm pleased to sign, endorse and hope this is passed.

EDUCATION REFORM

Mr Tony Ruprecht (Davenport): I have a petition addressed to the Parliament of Ontario, which reads as follows:

"We believe that the heart of education in our province is the relationship between student and teacher and that this human and relational dimension should be maintained and extended in any proposed reform. The Minister of Education and Training should know how strongly we oppose many of the secondary school reform recommen-

dations being proposed by the ministry and by this government.

"We recognize and support the need to review secondary education in Ontario. The proposal for reform as put forward by the ministry, however, is substantially flawed in several key areas: (a) reduced instructional time, (b) reduction of instruction in English, (c) a reduction of qualified teaching personnel, (d) academic work experience credit not linked to educational curriculum, and (e) devaluation of formal education.

"We strongly urge your ministry to delay the implementation of secondary school reform so that all interested stakeholders—parents, students, school councils, trustees and teachers—are able to participate in a more meaningful consultation process which will help ensure that a high quality of publicly funded education is provided," and we oppose any school closing in the city of Toronto.

Since I agree with the sentiments of this petition, I'm signing my name to it.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This has been signed by many more residents who continue to be concerned about the inequity in the funding program. I affix my signature in full support.

REGISTRATION OF VINTAGE CARS

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I've got a petition.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole"—a very hard-working member; you might have heard that name before—"and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

Surprisingly, Mr Speaker, it seems to have my name as the first signature, and many other members have signed it.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London): "To the Legislature of Ontario:

"Whereas Mike Harris promised an Ontarians with Disabilities Act during the 1995 election and renewed that commitment in 1997 but has yet to make good on that promise; and

"Whereas the Harris government has not committed to holding open consultations with the various stakeholders and individuals on the ODA; and

"Whereas the minister responsible for persons with disabilities will not commit to the 11 principles outlined by the ODA committee;

"Whereas the vast majority of Ontario citizens believe there should be an Ontarians with Disabilities Act to remove the barriers facing 1.5 million persons with disabilities;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To pass a strong and effective Ontarians with Disabilities Act that would remove the barriers facing 1.5 million persons with disabilities in this province."

This is signed by over 100 residents of the city of St Thomas. I have affixed my signature in support.

1540

NORTHERN HEALTH TRAVEL GRANT

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I have a petition to the Legislative Assembly.

"Northerners demand Harris government eliminate health care apartheid;

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed Ontarians Seeking Equal Cancer Care, founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid that exists presently in the province of Ontario."

I will be happy to sign my name to this petition.

PHOTO RADAR

Mr Steve Peters (Elgin-Middlesex-London): "To the Legislative Assembly of Ontario:

"Whereas Mike Harris made the decision in 1995 to cancel the Ontario government's photo radar project before it could properly be completed; and

"Whereas two Ontario coroners' juries in the last year, including the jury investigating traffic fatalities on Highway 401 between Windsor and London in September 1999, have called for the reintroduction of photo radar on that stretch of 'Carnage Alley'; and

"Whereas studies show that the use of photo radar in many jurisdictions, including British Columbia, Alberta, Australia and many European countries and several American states, does have a marked impact in preventing speeding and improving road and highway safety, from a 16% decrease in fatalities in British Columbia, to a 49% decrease in fatalities in Victoria, Australia; and

"Whereas photo radar is supported by the RCMP, the Canadian Association of Chiefs of Police, several police departments, including many Ontario Provincial Police

constables, the Canadian Automobile Association, the Ontario Trucking Association, and many road safety groups;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation reinstate photo radar on dangerous stretches of provincial and municipal highways and streets as identified by police. The top priority should be 'Carnage Alley,' the section of 401 between Windsor and London, and all revenues from photo radar be directed towards putting more police on our roads and highways to combat aggressive driving."

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Ontario Legislature.

"Whereas the northern health travel grant offers the reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy nor geographic location;

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"Whereas we support the efforts of the newly formed OSECC, Ontarians Seeking Equal Cancer Care, founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I sign my name to this in full agreement with the concerns expressed.

Mr Steve Peters (Elgin-Middlesex-London): I am pleased to read this petition in support of northerners demanding the Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location; and

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed Ontarians Seeking Equal Cancer Care, founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario,

Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I'm in full agreement and have affixed my signature hereto.

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Government
Publications



No. 99B

N° 99B

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 1 November 2000

Mercredi 1^{er} novembre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 1 November 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 1^{er} novembre 2000

ORDERS OF THE DAY

MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES STATUTE LAW AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT DES LOIS

EN CE QUI A TRAIT

AU MINISTÈRE DE LA FORMATION

ET DES COLLÈGES ET UNIVERSITÉS

Resuming the debate adjourned on October 30, 2000, on the motion for second reading of Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act, 2000, repeal the Degree Granting Act and change the title of and make amendments to the Ministry of Colleges and Universities Act / Projet de loi 132, Loi édictant la Loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire, abrogeant la Loi sur l'attribution de grades universitaires et modifiant le titre et le texte de la Loi sur le ministère des Collèges et Universités.

The Speaker (Hon Gary Carr): Pursuant to the order of the House dated October 31, 2000, I am now required to put the questions.

Mrs Cunningham has moved second reading of Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act, 2000, repeal the Degree Granting Act and change the title of and make amendments to the Ministry of Colleges and Universities Act.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 5-minute bell.

The division bells rang from 1548 to 1553.

The Speaker: Mrs Cunningham has moved second reading of Bill 132.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Beaubien, Marcel
Chudleigh, Ted

Gill, Raminder
Guzzo, Garry J.
Hardeman, Ernie
Hodgson, Chris
Hudak, Tim

O'Toole, John
Ouellette, Jerry J.
Palladini, Al
Runciman, Robert W.
Spina, Joseph

Clark, Brad
Clement, Tony
Coburn, Brian
Cunningham, Dianne
DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Eves, Ernie L.
Flaherty, Jim
Galt, Doug
Gilchrist, Steve

Jackson, Cameron
Johns, Helen
Kells, Morley
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan

Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

The Speaker: All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Caplan, David
Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Crozier, Bruce

Curling, Alvin
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Kennedy, Gerard
Kormos, Peter
Lalonde, Jean-Marc
Lankin, Frances
Levac, David
Marchese, Rosario

Martel, Shelley
Martin, Tony
McLeod, Lyn
McMeekin, Ted
Peters, Steve
Phillips, Gerry
Ramsay, David
Ruprecht, Tony
Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 51; the nays are 31.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated October 31, 2000, the bill is referred to the standing committee on general government.

TIME ALLOCATION

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I rise with respect to standing order 46(a). The government has just tabled and has provided the opposition with a time allocation notice of motion. Mr Speaker, I'm asking you to review this motion for a variety of reasons. I'd like the opportunity, sir, to read you parts of this motion. I ask you to bear with me, as it was just handed to me.

It's in reference to Bill 69, the labour bill, which we have been given to understand is no longer alive. As I interpret this motion, the government is going to move the bill into committee immediately for one day of clause-by-clause, discharge a previous motion, and if the comments we have been given by various members of the government are correct, they're going to change the substance of the bill.

The Minister of Labour may well shrug, but our understanding is that he's going to do away with subsection 1(4). As I read this motion, and I ask you to review it, sir, they're going to do this and in effect introduce a new bill, a completely different bill, with no opportunity to debate. It closes committee; it causes committee reports to be deemed forthwith, to be approved immediately. To me, it undermines the entire principles of our standing orders. If this type of motion is allowed to stand, we may as well do away with the Legislature and just have executive orders.

I ask you, sir, to look at this. As I read this, it's an attempt by the government obviously to get this bill through. They know what's going to happen when they do away with subsection 1(4) of the Labour Relations Act. I ask you to review this motion under standing order 46 as to whether or not it's in order; second, as to whether or not the provisions contained herein, that is, no provision for debate in committee, only clause-by-clause, shutting down clause-by-clause after what appears to be approximately three hours—I apologize, sir; this was just handed to me—and it shuts down debate in this House. There's no provision for debate even on the time allocation motion.

I'd ask you, sir, to make a ruling with respect to whether or not this is in order. I would say to the government in all seriousness, if it is your intent, as we have been told, to make substantive changes to this bill, give us the changes so that we can determine whether or not we would agree that this sort of jamming it through—and that's all I can see in this—is worth it. It appears to me, sir, and I ask you to rule, that this should not be considered in order. If the government in fact is doing an about-face yet again, for the third time, on Bill 69, it should introduce a new bill and at least allow for the minimum debate provided for in the standing orders. Anything else is just another attempt to shut this House down and to shut down any democracy in Ontario.

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Mr David Christopherson (Hamilton West): On the same point, Mr Speaker: I rise to express the concern of our caucus also. I would ask you to take it a step further than the previous speaker and envision what could happen if a government deliberately decided this was a new route for passing laws wherein they had no intention of the first bill ever seeing the light of day. Let's keep in mind that this has gone all the way through, ready to be called for third reading. And now the government, because they're in a political jam, has tried to pull a fast one by backing up one step, quite possibly changing the bill very substantively, to the point where it's unrecognizable, and then they only have to take it one more step, to third reading, and we have no opportunity for debate, no opportunity for submissions.

We won't know exactly what the amendments are until we get to the committee. I ask you to think about it in terms of its precedent. I stand to be corrected, Speaker, because like the previous speaker, I just received this. However, I'm not aware, off the top of my head, where

this has happened before. If it hasn't, if it's precedent-setting, then I urge you not just to look at this issue as it pertains to the details of the existing Bill 69, but what are the implications down the road were a government to decide that this is a new tactic, one that lets them eliminate basically first reading, second reading, committee hearings after second reading—whenever we get them—with no real intention of passing that bill but then to bring in one of these motions at the last second and, as I said, take one step backward in the parliamentary process, make fast amendments at the committee, change the whole nature of the bill. It's time-allocated, it comes out of committee whether we're done talking or not, the discussion is deemed to be completed, and then all they have to do, based on this, is call for a couple of hours of debate. One vote and it's over.

Speaker, we—myself and my counterpart in the official opposition—have raised these kinds of issues with you time and time again, where substantive bills are moving faster and faster, with less opportunity for opposition members to have a say, less opportunity for the public to have a say. Sometimes you've sided with us and other times you've sided the other way because of the way the rules are written. If you have any discretion in this area, I implore you, take a look at what is being done here but look at it in the light of what it could mean in the future were a government to get a green light to do this in terms of a whole new parliamentary system that would, de facto, be created that is entirely outside the spirit and the detail of the standing orders, which are meant to give us at least a fighting chance to stay on top of what's happening, have something to say about it that's been researched and allow the public an opportunity.

I urge you, I implore you, Speaker, on behalf of the NDP caucus, to please look at the point of order raised, but also in the context of future abuse at the hands of a government that clearly does not put the democracy of this place as its priority.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On the same point, Mr Speaker: First of all, let's get away from the whole notion that the government has any power to introduce a new bill. We cannot change the substance of the existing bill. Our standing orders are quite clear that during the legislative process, in committee, any member of this Legislature can put forward an amendment provided it is within the general intent of the bill. In fact, it may be even more restrictive than that.

Mr Speaker, this bill has had three days of second reading, about five days of public hearings. We have an agreement in the House that if the bill is called for third reading, we would complete the bill in one day. The motion before you adds time to this process. It adds time to the committee process we've already had. This has been done before in this Legislature, where a bill has been ordered for third reading and has been recommitted back to the committee stage process. We have added committee time to bills before, in terms of what we're doing here. The bill remained on the order paper, having

received second reading, was reported here by a committee and is still alive today on the order paper, under our standing orders, as we now sit here.

The motion we have put forward I believe to be quite in order. Members of this Legislature will have the opportunity at committee to debate any amendments which are put forward under the motion, and that motion to amend any section of the bill must be within the substance of the bill as it now stands. If it's not, members opposite or any member of this Legislature can ask the Chair of the committee whether or not the amendment put forward is in order. If it's in order, in other words it's already been dealt with within the structure of Bill 96, then the ruling will be that the amendment can be put forward and there will be a vote on that amendment. Then the bill will come back here and we'll have one day of third reading, as was agreed before by members of this Legislature.

In summary, there's nothing irregular about this particular process. We haven't done it very often because it hasn't been necessary very often, but we believe that this is well within the standing orders. It's not a new bill. It's Bill 96 but—

Mr Dominic Agostino (Hamilton East): It's Bill 69.

Hon Mr Sterling: Bill 69, I'm sorry, I've got it reversed.

We will be putting forward an amendment or amendments to sections that we believe should be amended before this bill becomes the law of Ontario. We are well within our rights. The standing orders are clear.

In summary, there's no new substance to the bill in terms of its general intent. There will be amendments to some of the sections put forward. Number two, we are adding time to the legislative process, not taking it away.

The Speaker (Hon Gary Carr): The member for Windsor-St Clair.

Mr Duncan: The government House leader referenced the fact that there was agreement to one day of third reading debate. There was, but it was based on the bill that was reported back from committee as it exists now on the order paper. That's number one.

Number two, sir, I have never seen a motion that deems, and let me read this to you: "in the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported and received by the House."

The other point we should put on notice to you, sir, is that we have not seen the amendments. This debate, as we understand it, is going to revolve around the question of the so-called double breasting, and it would be our position that if there are any changes with respect to that, you'll be changing the substance of the bill and you, in addition to being asked to rule on this, will be called upon to rule on whether or not the amendments the government puts forward are in order.

The government has now had, by my count, three different positions on this bill. They have had press releases that withdrew the previous bill. They are estab-

lishing a structure which has not been negotiated with either the official opposition or my colleague in the third party. They are attempting, in our view, to manipulate the standing orders in a way none of us has ever seen before to effectively preclude debate on an issue that's going to be of extreme importance.

I know that you don't want this to drag on. To conclude, sir, you will also be called on at some point, I'm sure, because the government has failed to share the amendments with us that they're proposing to bring forward. If they were serious about democracy and debating it, perhaps they might have done that as they've done in the past. In any event, you'll also, sir, at the appropriate time, be called upon to rule with regard to whether or not the amendments are in order or whether or not they in fact changed the substance of the bill. It's our anticipation, and it will be our position based on the public statements of the minister, that those amendments will in fact change the substance of the bill.

The Speaker: I thank all members for their input. As you know, this is just a notice of motion, and I haven't had a chance to read through it. We will read through it and rule accordingly.

1610

IMITATION FIREARMS REGULATION ACT, 2000

LOI DE 2000 SUR LA RÉGLEMENTATION DES FAUSSES ARMES À FEU

Mr Mazzilli, on behalf of Mr Tsubouchi, moved second reading of the following bill:

Bill 133, An Act to regulate the sale of imitation firearms / Projet de loi 133, Loi visant à réglementer la vente des fausses armes à feu.

Mr Frank Mazzilli (London-Fanshawe): I'll be sharing my time with the member for Thornhill, the member for Barrie-Simcoe-Bradford and the member for Durham.

Our government is introducing this bill, which will regulate the sale and purchase of imitation handguns and convertible starter pistols. It's another step in keeping our promise to make our communities safer. We have listened to the concerns expressed by police and our fellow citizens about the dangers of these imitation guns circulating unchecked on our streets. We are responding to those concerns. Too many innocent citizens are being endangered and intimidated by look-alike weapons. This legislation is part of our ongoing efforts to rid Ontario streets of imitation handguns.

Imitation guns are a public safety issue that continues to grow. Earlier this year, the Peel police department seized more than 3,000 imitation or replica guns from an Oakville retailer. Those guns could have been used in robberies or public intimidation. Think about it: 3,000 imitation or replica handguns taken off the street.

When somebody has what appears to be an authentic weapon, police respond the way they're trained to

respond. They must assume that it is a real gun and respond accordingly. In many cases these phony weapons look identical to and bear the same brand names of real weapons. They pose a threat to police and to innocent people.

The numbers are clear: more than 40% of guns seized by police are imitations. The provincial weapons enforcement unit estimates that approximately 700 such devices will be seized in the city of Toronto alone this year. That's up from the 600 seized just two years ago. Furthermore, another investigation by the unit revealed many examples of people buying starter pistols and converting them to fire live ammunition.

The provincial weapons enforcement unit was formed in response to the growing problem of violent incidents involving firearms in our province. This unit is the only one of its kind in Canada and works with the Ontario Provincial Police, the RCMP, Canada Customs, the Department of Defence and police services across the province to investigate and confiscate illegal weaponry in Ontario. This legislation will give the unit additional strength in removing illegal weaponry and imitation firearms from our streets.

We have support for this initiative from police services across our province. We have the support of the general public, who have asked us for a solution to this problem. We all recognize the need for this legislation.

We had a dramatic demonstration of the problem with starter pistols that can be converted to fire real, live ammunition earlier this year. A person committed suicide while in the back of a police cruiser. It certainly was a modified starter pistol that he committed suicide with.

Our government studied the current federal legislation regulating some types of imitation and replica guns. We found that the definition is certainly vague and excludes many devices that are currently causing dangerous situations for police and for our citizens. We drafted this legislation to assist our front-line police officers and because the federal definition of "replica guns" is, at the least, confusing.

Current replica gun definitions under the Criminal Code and Firearms Act do not go far enough, failing to safeguard adequately our police and our communities. The private member's bill introduced in the House earlier this year referred to replica guns, which would have been regulated under the confusing federal statutes. We could not support that bill but we are determined to act in the interest of public safety. That is why we are introducing this legislation with three important objectives.

The first objective is to ban the sale, purchase, transfer or receipt of starter pistols that could be converted to fire live ammunition. These starter pistols are not ones that normally would be used by coaches at track meets. These are starter pistols that were manufactured with the intent that they could easily be converted to get around federal legislation. In some cases a certain drill bit is all you need to convert these starter pistols to fire live ammunition. So those will be totally banned in the province of Ontario.

The second objective of the legislation is to make it an offence for commercial vendors to sell, lease or otherwise transfer a deactivated imitation firearm to anyone under the age of 18, and to make it an offence for anyone younger than 18 years old to buy or receive a deactivated firearm or imitation firearm.

This legislation also requires vendors to check photo identification for proof of age of purchasers and provides fines of up to \$50,000 and forfeiture for non-compliance.

This legislation has been drafted carefully with consideration and consultation with police services across the province, community leaders and other people who are interested in this issue. The Solicitor General will monitor the effectiveness of this legislation. As an example, unless you are a collector there is no legitimate reason to have a deactivated firearm. Otherwise its only purpose is to terrify or intimidate law-abiding citizens. Your family needs this legislation, as does mine. This legislation is necessary to protect all Ontarians. Imitation guns are a threat to law-abiding citizens. That is why this legislation is certainly so important.

We need it to reduce the number of such devices on our streets and to make them harder to buy and transfer. You all can be part of history by granting speedy approval to this bill and making Ontario the first Canadian province to introduce and approve this type of tough legislation to improve community safety. I ask all members to support this legislation that will protect our police and our communities. If this Legislature approves this bill, as I hope it will, we will take one more step in making Ontario a safer place, a place where we all want to live, work and raise our families.

As the debate continues, I'm sure we'll hear from the Liberals that somehow they feel this was their issue. Let me assure you that this issue has been an ongoing issue for many years. In 1988 a private member's bill was put forward by Mike Farnan, an NDP member. It was Bill 154 and it dealt with replica guns. Guess what happened to that bill? The Liberal government of the day allowed it to die on the order paper. That's what they did. On many issues, we certainly do not agree with the NDP, but this is one issue where Howard Hampton and Peter Kormos have stood by their communities, have believed in public safety and have shown leadership, and Dalton McGuinty has done nothing.

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This bill can be implemented and worked through very easily. Section 1 deals with convertible starter pistols. Let me just read that: "convertible starter pistol" means a device designed for signalling that:

"(a) discharges a blank cartridge,

"(b) can be adapted for use as a fire arm, and

"(c) when so adapted can discharge a live cartridge."

If anyone from your constituency office calls and asks, "Will this ban starter pistols for coaches at track meets or for referees of some sort?" no, it will not. These are ones that can be converted to fire live ammunition.

Then if we move over to section 2 of the act: "No person shall buy, receive by transfer, sell or transfer a convertible starter pistol."

Section 3 deals with the imitation guns, and no commercial vendor should be selling these things to minors under the age of 18. That goes in line with our views of parental responsibility. Parents have a right to know if their children under the age of 18 are buying imitation guns, and that's simply what this does. If a parent chooses to purchase a toy gun for a child, they certainly can. We believe, on this side of the House, in parental responsibility.

Inevitably, we are going to hear much debate on this bill. I look forward to engaging in the debate further and I will now pass it on to the member for Thornhill.

The Acting Speaker (Ted Arnott): I recognize the honourable member for Thornhill.

Mrs Tina R. Molinari (Thornhill): Thank you, Mr Speaker, and welcome in the Speaker's chair. It looks good on you.

It is with great pleasure today that I rise to speak in favour of this legislation, Bill 133, an Act to regulate the sale of imitation firearms.

In our fall action plan, Mike Harris said we would be introducing legislation that will protect the public and police from the use of imitation fire arms. Another promise made, another promise kept.

Interjections.

Mrs Molinari: I see the opposition also agrees that we keep our promises. It's good to see that.

Public safety is one of this government's top priorities, and I can say this with pride to my constituents in Thornhill and to all of the people all across Ontario. Our government will continue to move forward with steps such as this legislation, helping to keep our communities safe.

Once again, Ontario is leading the way. If passed, Bill 133 would be the first really tough legislation on the regulation of imitation firearms in Canada. That's something to be proud of.

This is a good bill. Police services throughout the province support this bill. In fact, they asked for it. They know that it will significantly reduce the chances of dangerous incidents and misunderstandings.

For years, we've seen police responding to false alarms involving imitation guns. This has been a drain on police resources and we've seen instances where police mistake fake guns for real ones with lethal consequences. In 1998-99, police say that there were more than 1,200 incidents involving starter pistols and other imitation guns in Toronto alone, so we know that this is a much-needed bill.

At this point, I want to refer to some of the very important parts of the bill that I feel speak to the essence of what this bill is about.

Under subsection 2(1), "No person shall buy, receive by transfer, sell or transfer a convertible starter pistol."

Under subsection (3), "A person who contravenes subsection (1) is guilty of an offence and on conviction is liable to a fine of not more than \$50,000."

Under subsection 3(1), No individual shall purchase or receive by transfer a deactivated firearm unless he or she is at least 18 years of age and at the time of purchase or receipt presents valid identification in accordance with section 5."

Under subsection 3(2), "No person shall sell or transfer a deactivated firearm to an individual unless the individual is at least 18 years of age and presents valid identification...."

Subsection (5) talks to the offences: "A person who contravenes" these subsections "is guilty of an offence and on conviction is liable to a fine of not more than \$25,000."

Under subsection 4(1), "No person shall, in the course of running a business, sell or transfer an imitation firearm to an individual unless the individual is at least 18 years of age and presents valid identification...."

Under subsection (5), the offences to this, is, "A person who contravenes" this "is guilty of an offence and on conviction is liable to a fine of not more than \$15,000."

In subsection (6), "If a person is convicted of an offence under subsection (5), the court may also order any imitation firearms seized from that person under subsection (4) or at common law forfeited to the crown."

It should be made clear and it should be stressed that this bill does not affect toy guns. What it does do is stop people from accessing imitation guns which they shouldn't have in the first place. It won't take away a starter pistol from the coach of a track team, but it will make sure that not just anyone will be able to get one. It also helps to regulate BB guns, which are often treated as toys but are potentially dangerous weapons.

Bill 133 on imitation firearms picks up where the federal Firearms Act and the Criminal Code fall short. The federal definition of replica firearms does not include many of the imitation firearms which Bill 133 would cover and which are used in crimes across the province every day. This legislation therefore is necessary, and I want to thank the Solicitor General for introducing it into this House.

The Liberal members across the House would have us believe that it was they who took the lead on this issue with Michael Bryant's private member's bill. When they argue this, they leave out two crucial points:

(1) It was the NDP that first proposed legislation to deal with the criminal use of replica guns, and that was way back in 1988. The Liberals also conveniently forget to mention that it was they who let the NDP proposal die on the order paper. In addition, the number of cases of replica gun misuse in the past year alone has catapulted this issue into the public consciousness. It is obvious that action is needed, the sort of decisive action which Bill 133 provides.

(2) This is yet other case of the McGuinty Liberals relying on rhetoric, not research. Their proposed bill on replica guns, although I'm sure it was well intended, covers ground which duplicates provisions in the federal Criminal Code. If they had actually done a little research for once, they would have seen that their proposals were

redundant in the face of existing federal legislation. We did a comprehensive legal review of the Liberal Bill 67 because we recognized the seriousness of this issue and have always favoured measures to combat the growing problem of imitation firearms. But—surprise, surprise—the Liberal bill didn't stand up to close scrutiny.

For example, it should be obvious to everyone that a criminal record check on those who wish to purchase an imitation gun would generate far more administrative headaches than it would solutions.

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The same is true for a statement of intended use, which would be useless for investigative purposes without a warrant to back it up. The Liberal Bill 67 would create more paperwork for police and vendors rather than take imitation guns off the street.

In addition, and most importantly, it overlaps with the federal Criminal Code definition of replica guns and the Criminal Code would take precedence over the provincial bill. Thus, the Liberal bill provides absolutely no solution.

Bill 133, on the other hand, is exactly what the province needs. It strikes the delicate balance between the protection of public safety and restrictions on buyers, sellers and users. It protects legitimate imitation firearm owners from unnecessary bureaucratic red tape, targeting those with criminal intent.

Instead of side-stepping the issue, Bill 133 goes straight to the heart of the most serious part of the imitation firearm problem. It places a complete ban on the sale or transfer of the type of imitation firearms that present the most danger to the safety of the police and the public—convertible starter pistols.

Previously introduced legislation, such as the 1988 NDP bill, or Mr Bryant's bill from earlier this year, fail to provide the tough penalties and restrictions which Bill 133 would ensure. The Imitation Firearms Regulation Act, 2000, provides penalties which will make potential contravenors of the act stand up and take notice: a \$50,000 fine on convertible starter pistols; a \$25,000 fine on deactivated firearms; and a \$15,000 fine on other imitation firearms.

Our government has established the provincial weapons enforcement unit to reduce the flow of illegal weapons in Ontario. In conjunction with the OPP, the PWEU will rid Ontario streets of thousands of replica handguns if this bill is passed.

Bill 133 helps to protect our youth. There are restrictions on deactivated firearms and other imitation firearms to those over 18, thus helping to limit the contact our young people can have with these dangerous weapons.

The strength of Bill 133 is seen in the strength of the support it has received. Key stakeholders, including police services, gun owners and retail groups have come forward to say that Bill 133 is a much-needed step. Chief Noel Catney of the Peel Regional Police said, "This will significantly improve the safety of the general public and all serving police officers in the province of Ontario." Firearms organizations support the provisions in Bill 133.

The Retail Council of Canada supports the intent of this government's proposals. People and organizations all across this province understand the need for legislation regulating imitation firearms. Solicitor General Tsombouchi has provided us with legislation which is clearly the answer they were looking for.

I think it is safe to say that there is all-party agreement in this provincial Legislature that we must restrict the use of imitation firearms in this province. There is consensus here in the House and out on the streets of Ontario that something needs to be done. Bill 133 is the answer. We've done our homework. People who will be affected by this bill, like this bill. They support it. They realize that it is an important step in the fight to keep our streets and our children safe.

I therefore urge everyone in this House to vote in favour of Bill 133, and to recognize that it is only through tough measures like these that we can all achieve our goal in keeping Ontario safe.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join the debate. I understand the member for Durham is anxious to join the debate, but that will happen later.

Imitation firearms include anything that can reasonably be mistaken for a handgun, including realistic-looking BB guns and similar devices. Currently the control of most firearms, including importation, possession and sale, is regulated by the federal government under the Firearms Act and the Criminal Code.

This is new Ontario provincial legislation, which includes new requirements for imitation firearms and BB-gun-type firearms that are currently not covered under the Criminal Code.

In 1998-99, police say there were more than 1,200 incidents involving starter pistols and other imitation guns in Toronto. Police services throughout the province support this legislation, which will improve community safety. The provincial weapons enforcement unit estimates that approximately 700 such devices will be seized in the city of Toronto this year, up from just a few more than 600 two years ago. Police have responded to numerous calls that involve imitation guns, causing a drain on police resources and escalating harmless predicaments into potentially dangerous situations. Paintball and laser gun operations, however, will be exempted from the legislation.

This legislation is part of the government's commitment to improve safety in Ontario's communities and deal with violent crime. This legislation will reduce potential confrontations with police and provide better protection for the public and police. This is very important, because Ontario is the first province in Canada to introduce this type of tough legislation to improve safety in our communities.

This legislation bans the purchase and sale of starter pistols that could be converted to fire ammunition; makes it an offence to buy or sell a deactivated firearm to anyone under the age of 18; makes it an offence for commercial vendors to sell or transfer imitation firearms

to anyone under the age of 18; and imposes heavy fines and forfeiture for non-compliance.

This legislation will require vendors to check photo identification for proof of age of purchasers. There will be fines of up to \$50,000 and forfeiture for non-compliance. Imitation gun purchasers must be at least 18 years old. This is expected to significantly reduce the incidence of misuse of imitation firearms and to alleviate the concerns about public and police safety arising from such misuse.

Police services, as indicated before, support this legislation, but I want to delve somewhat into the Criminal Code aspect and the federal government's responsibility in this area.

Firearms are regulated under the federal Firearms Act, known as Bill C-68, and the Criminal Code of Canada. These regulate such things as the importation, possession, sale, storage, transportation and the use of firearms.

In the Criminal Code, a firearm is defined as a "barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm."

In the Criminal Code, a replica firearm is defined as a "device that is designed or intended to exactly resemble, or to resemble with near precision, a firearm, and that itself is not a firearm." A replica firearm is a prohibited device. Although possession of prohibited devices is a criminal offence, possession of a replica firearm is specifically exempted as an offence. Possession is not a criminal offence unless it is possessed for a purpose dangerous to the public peace. Replica firearms can only be imported by, manufactured for or sold to businesses that have been licensed to possess them for specific approved purposes. Unauthorized sale to an individual is an offence punishable by up to 10 years in prison.

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The federal definition of "replica firearms" does not include a number of firearm-like devices or imitation firearms such as antique firearms, starter pistols, air guns, air rifles, air pistols, air shot guns, pellet guns, BB guns, deactivated firearms, certain toy firearms and decorative items that resemble firearms, such as lighters.

Public safety, as you know, is one of the government's top priorities. In our fall action plan the Premier said we would be introducing legislation that will protect the public and police from the use of imitation firearms. We have talked with stakeholders, and together we have developed this legislation.

I'd like to remind the House that it was the NDP that first proposed legislation to deal with the criminal use of replica guns, in 1988, and I believe with my heart that the Conservatives, who were in opposition at that time, supported this bill of the NDP back in 1988. They weren't the government, but at that time the provincial Liberal government argued that it was a federal jurisdictional issue and let it die on the order paper. In other words, the opposition Liberals of today, taken from the position

back in 1988 when they were the government, would say that it's the federal government's responsibility. We don't say that.

Under the Criminal Code it is an offence to sell a replica firearm as defined in the code to any individual, punishable by up to 10 years in prison. The members opposite forget to mention that the federal legislation is what deals with replica guns, the federal government. Unlike the members opposite, our government will continue to move forward with real public safety initiatives to help keep our communities safe.

There are a number of questions that people may have about this legislation, and there was a private member's bill that was introduced earlier in the session that was an attempt—I would say a weak and half-hearted attempt—to deal with this issue, because a comprehensive legal review of the private member's bill indicated it would be ineffective and could conflict with regulations under the federal legislation.

For example, we believe that requiring purchasers to prove they don't have a criminal record would cause administrative headaches at local police services and take police off the streets to perform these background checks. That's a very typical opposition manoeuvre, to get the police off the streets. We also felt that the unverified letter stating intended use would have little practical value as an investigative tool, because the police would still require a warrant to access the statements for investigative purposes. The proposed private member's bill also included devices that are already covered under federal legislation.

This government has always favoured measures to combat the growing problem of imitation firearms. The proliferation of imitation guns has concerned this government for some time, and we had taken preliminary steps toward regulating these devices. It was the police services that initially asked for this type of regulation, and consultations with police services indicate they support this legislation.

This legislation will not affect toy guns or guns that are obviously toy guns, and from what I understand, the Ontario Track and Field Association says that it supports controls on starter pistols that replicate guns or that can be converted to fire live ammunition.

We have taken a number of steps to deal with the gun issue in this province. We have established the provincial weapons enforcement unit to reduce the flow of illegal weapons in Ontario. This unit works with the OPP, the RCMP, Canada Customs, the Department of National Defence and police services across the province to investigate and confiscate illegal weaponry in the province. The PWEU, as it is known, is the only unit of its kind in Canada and has assumed a leadership role in the pioneering field of illegal firearms investigation in North America.

That's another leading step, with respect to the establishment of a provincial weapons enforcement unit to reduce the flow of illegal weapons in Ontario, which this government is taking to protect the public.

I may add, as I said earlier, Ontario is the first province in Canada to introduce this type of tough legislation to improve safety in our communities. One has to remember when you're dealing with this type of legislation, which is a provincial initiative, that it's the federal government that currently controls most firearms including importation, possession and sales. It's regulated under the Firearms Act and the Criminal Code. What we're dealing with here is a very specific and unique problem which the police in this province feel needs to be addressed.

I'm very pleased to have spoken on this piece of legislation and at this time, not reluctantly but with great anticipation, the member from Durham will join me in the debate.

Mr John O'Toole (Durham): I'd certainly like to thank the member from London-Fanshawe, to start off with.

As the parliamentary assistant to the Solicitor General, I know he's on message. He takes crime and its consequences very seriously, along with our Attorney General who's here today, the Honourable Jim Flaherty, and the Minister of Correctional Services. There's a team at work here to build on safe communities throughout Ontario, challenging our weak, vacillating federal Liberal government with respect to—they're soft on crime, not just in the execution of the criminal justice system—Anne McLellan hopes she will get re-elected; maybe not—but also with respect to their approach to the Young Offenders Act.

This is a nice piece of entry into the whole debate on the replica handgun. This really targets the young offender debate, if I could say.

Why is this so important? Children find out the effect of a fake gun on potential victims. It may be meant in kind of a humorous fashion or as light-hearted kids' play, but they find all of a sudden that the gun—the imitation gun in this case—has power and actually has a consequence for victims.

So you can wrap this around a kind of a young offender assault, as part of our general government message of being tough on crime, and you can wrap it around the protection of victims—victims in the sense that the perpetration or intrusion of people's space by use of an imitation gun arguably has proven to be a threat to security or people's lives.

It's been discussed and most of the salient points on Bill 133 have been read by the member from London-Fanshawe, the member from Thornhill, Ms Molinari, and the member from Barrie-Simcoe-Bradford, who, I might say, as a practising lawyer is quite familiar with how difficult it is to execute some of the federal statutes in the courts.

I think that's one of the problems. We're going to hear later on this afternoon from the member from St Paul's, Mr Bryant. He, I believe, has the right intent. If he would just vote for this bill, he'd be doing the right thing, but his party whip may call him to the task of mouthing the

platitudes of his proposed bill. I think his was 67; he will bring it up. This bill, first, recognizes that it's a problem.

1650

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: The member opposite referred to the comments of the member for St Paul's. I can assure the member opposite that the member for St Paul's is supportive of this bill.

The Acting Speaker (Mr Tony Martin): That's not a point of order.

Mr O'Toole: That's good to hear, House leader for the Liberal Party. I think it's very important. But the point I was trying to make was that our legal advisors gave us some information that Bill 67 is in conflict with some of the federal legislation and would be inoperative if passed. So doing the right thing, I think—and I've heard reassurance from the member from the Windsor area, the House leader for the opposition party, who said that they'd be supporting it. So I won't be angry or conflict-based in my points, but I think if there are changes in his remarks today that could be made to strengthen the enforcement abilities of this particular bill, I certainly would encourage our Solicitor General to listen.

There have been significant stakeholder consultations. Firearms organizations support the proposal to ban the purchase, sale, receipt and transfer of starter pistols that could be converted to fire ammunition, and to restrict the purchase, sale, receipt and transfer of deactivated firearms to persons 18 years of age and older, and to restrict the sale of other imitation firearms to persons 18 years of age and older. But it upholds the proposal to require vendors to keep records of the purchase itself. This is like a Bill C-68 argument: the whole record-keeping business becomes somewhat problematic. But I think it's incumbent on those ethical businesses to keep records for the very purposes of these things getting into the wrong hands for the wrong purposes.

I also can only speak with respect to how it's my intention not to categorize all youth as problematic and all youth as the ones who use these guns. That's not the issue; it's the specific guns. But in my area I know youth are honestly, by and large, exemplary citizens. I think of Curtis Wagar and Alex McLaughlan, two young people who this summer were recognized by this government as being exemplary, fine young people. They kind of represent a tradition. We had the summer games in Durham this past summer. I know the member from Guelph-Wellington was there and she can only say that it was a celebration of youth and youth excellence.

So I've clarified that. If I've said anything, that it's only young people—it's the use of these replica, imitation, artificial things that constitute a threat in society. That's what we're trying to resolve. When dealing in our own area, I've spoken with Chief Kevin McAlpine on a number of items. I speak to him regularly, and to Inspector Ross Smith, who's the district inspector in my particular part of Durham, and Chuck Mercer, who's now superintendent. He was actually in the north part of my

riding. They want the tools to have safe communities. This is just one more tool of enforcement under the Provincial Offences Act that will allow them to deal with these nuisance situations.

I can only say, with all sincerity, that this is not a new issue. What's new about it is that we're the first government, the first province, to actually deal with it. I want to compliment—previous governments have looked at this. In 1988 there was a bill, I think it was Bill 154, I'm not exactly sure, by member Farnan. It proposed that the sellers of replica guns, including all types of toy guns, be required to obtain a certificate of approval from the government for a fee before they were allocated such devices. Under this proposal, the government refused to give a certificate for a device they closely resembled, so they tried. This has been tried before, and what we're trying to do is listen today to members in the opposition and third party to see if there are ways to improve, clarify, strengthen, so that we can do the right thing to make our communities safer.

When it comes down to the definition of replica firearm, it does not include a number of gunlike devices or imitation firearms, ie, air guns, air rifles, air pistols, pellet guns and BB guns, starter pistols with a solid barrel, deactivated firearms and certain toy guns or decorative guns; for example, lighters. You've seen those old—quite honestly, a lighter is something you don't see in a house today, but years ago you used to see them, a little toy gun as a lighter. Most people have quit smoking so far. But for the purpose of the possession offences, several weapons or devices, including starter pistols, are deemed not to be firearms.

So we've actually had a number of situations. I'm looking back in the briefing notes that I have had supplied to me. It's been difficult for the opposition. As I say, I believe Mr Bryant from St Paul's is going to try to do the right thing, but then I looked at some of the background on this issue and, you know, he'll have time here on the clock to make his points, certainly, but back in a CTV interview on April 17—I'm just going to quote for the record here. I think it's an appropriate thing to credit it to the right person, for whom, by the way, I have a great deal of respect. I might say that. I want that to be part of this.

Here's what he said: "You can buy phony guns like this like candy from a corner store." Well, that's not right. "But make no mistake about it: these phony guns kill. They terrorize victims and they compromise the safety of our police."

We've had the SIU just recently investigate a situation where police officers, in their line of duty, may be charged, so I can't talk about it in any detail. The person they were moving out of a difficult situation was, they thought, holding an active, real gun, and it turned out it wasn't. This is the kind of thing where they have to err on the side of safety for the protection of the general public. We've got to give them the tools. We have to support them. In my case, I know that I want the police to always do the right thing and to be accountable. They

have a privilege in our society. They actually carry real weapons, and that's what we have to maintain the public order. Someone who is threatening that public order somehow, whether it's with a replica gun or with other kinds of devices, does constitute a hazard and puts the police in a no-win situation. It's difficult. How do they know, standing 20 feet away, whether a gun is loaded or not, whether it's a knife or just a plastic knife? So the argument goes on that things happen.

How do those errors happen? They happen because judgments are made in a very hasty, tense situation and you end up, in some cases, with a very bad outcome for the police, in the case that they have to go through this whole investigation, the complaints, and for the victim, who gets treated roughly when they think they are removing a firearm.

I won't go on. There are other quotes on the record that I have been given, but I have every assurance that there's great harmony in the House today and I have it, actually, from the member for—who is it here? I want to make sure I have it right—Windsor-St Clair. The House leader has said that they will be supporting the bill, so I'm not going to take all the time, but I should use up most of the time that's been assigned unless there is anyone else who wants to participate.

The bill itself is a bit technical, I'd say, in respect that it actually goes through and in very difficult language tries to define things. So here is the bill. It was introduced on October 24 by the Honourable David Tsubouchi. It is a total of about two pages, so in the remaining time I'm going to outline some of the things it does here—

Mr Mazzilli: In detail.

Mr O'Toole: In some detail, I might say. The member for London-Fanshawe has probably read it, and in fact may have been involved in the actual writing of it.

These three terms are defined in the bill, and this is important for the viewer today. The three terms are "sale," "transfer" or "receipt" of a converted starter pistol is made an offence. A converted starter pistol, of course, is a starter pistol that has been tampered with, amended, to become capable of firing a projectile. A person authorized to seize a converted starter pistol under section 158 of the Ontario Provincial Offences Act is also authorized to seize any other such pistol in possession of the seller or transferred from the purchaser for sale or transfer. On conviction, the maximum fine is \$50,000. This should be a fairly decent deterrent. In addition, the court is required to order the forfeit of any converted starter pistols seized in connection with the offence.

The sale or transfer of a deactivated firearm—this is a firearm which has had the pistol trigger and the firing mechanism removed, I gather—to an individual and the purchase or receipt of a deactivated firearm by an individual is made an offence unless the individual is at least 18 years of age and presents valid identification.

1700

A person authorized to seize a deactivated firearm, under section 158 again—talking about deactivated, so

these are real firearms that have had the mechanisms removed, modified, as my friend says.

The sale or transfer of an imitation firearm in the course of business to an individual is made an offence unless the individual is at least 18 years of age and presents valid identification. A person is authorized to seize an imitation firearm under section 158 of the Ontario Provincial Offences Act.

So there we have it. Then it starts to talk in some detail under the section 1 definitions. A "convertible starter pistol" means a device designed for signalling" the start of a race or some other event. It goes on to some extent and explains that "firearm" means a firearm as defined" under the Criminal Code. You can see the detail here in trying to make the language clear enough to be able to, first, write a summons, I guess it would be, and charge and to make that charge stick in court so that somebody under some fuzzy definition can't get off. I'd be interested in hearing those arguments. The member from St Paul's is also a lawyer of some note, and I'm sure he'll address those issues.

I think the offences and the penalties are quite clear. The forfeiture provisions are quite clear. In my view, it really goes back to the overarching theme of this government: safe communities, meaning we have the correct laws in place that allow our front-line police officers to enforce the laws to keep our communities safe, and one of those things is weapons or, in these cases, imitation weapons. I think there has been some media coverage on this, and certainly other stakeholders have commented. I think in general the support is there for this legislation.

There are a couple more points I wanted to make. When it comes down to it, we still have to make a call. I think I'll probably end a few minutes early here. The police officer in a situation is the one who really has to make a call. If we don't prevent the sale and transfer of these replica handguns, artificial, whatever we call them, we're leaving it to the front-line officers in the line of duty to make a determination at night perhaps, in the threatening situation of a real or a fake gun and/or other weapon. I think we have to clearly give them those tools. It isn't any more complicated than that. We also have to have the right kind of statute by which they can make the charge and have that charge stick.

If the federal government wants to co-operate and incorporate this under a broader definition of "firearms" in the federal statutes, I'd be interested in making sure that is the route for the future. But Ontario is the first provincial jurisdiction to address the issue. We've heard about it in the press. We've actually got documented situations where there have been transgressions using these artificial guns. This government is doing something about it, and it's my understanding that the opposition and the third party will be supporting it. With that said, I'm here, I'm listening and I'm certain the parliamentary assistant and the minister will be listening very closely as well.

The only thing left that I could do in the remaining six minutes is perhaps talk about my riding. I think the front-line people in my riding need to be respected. Out of respect, I'm going to mention them today. Paul Hawerchuk is the community officer in my riding. I see him at various events. He's approachable, he's professional and he's one of those people who participates in lots of public events. Kevin McAlpine, as I've mentioned, is the chief in a growing, much more sophisticated police force than perhaps 10 or 15 years ago, and under his stewardship it has crossed some very difficult bridges. Ross Smith is inspector, as I said, in the Clarington area, a very well-respected gentleman who I think has community safety first and foremost in his mind. Phil Edgar—now there's a case there. Phil Edgar is a young constable, with one or two years on the force. I read a recognition here in the House a couple of weeks ago, as he was recognized for having actually solved many thefts of automobiles in our area. He has been one or two years on the job and he's already turning the corner on setting records of enforcement. This makes our community safer. So I publicly thank Phil Edgar. I can say that our communities are safer places because of him.

Community centres and the people who work around them: the Firehouse Youth Centre in my riding is another place where youth are learning and having good models in the peers and adults around them, to say that good behaviour starts with imitating good adult behaviour, technically.

I thank our communities for being strong places. We as a government think that safe communities are strong communities, and policing is part of that. They have a difficult role and I thank them for that. Thank you, Mr Speaker, for the time to speak a little generally about the topic today.

The Acting Speaker: Comments or questions?

Mr Michael Bryant (St Paul's): I obviously am going to have something to say on behalf of the official opposition in a moment.

Interjection.

Mr Bryant: The official opposition for Ontario, I say to the member for London-Fanshawe. There's only one.

I wonder whether some of the members who have spoken, and everybody who has spoken so far has also participated in private members' business up until now, enjoy Thursday mornings when they bring forth private members' bills and know that maybe if it's an OK idea, a government bill will follow. It's kind of a bittersweet moment for any member who brings forth a private member's bill that gets turned into a government bill.

I know the Minister of Colleges and Universities brought forth a private member's bill on bicycle helmet safety when she was in the opposition, and it passed and became law under the NDP government. Members got together and said, "This is a good idea." I don't know if amendments were made or not, I say to the Honourable Mrs Cunningham. Maybe they weren't necessary; they probably weren't.

In any event, we could have made changes to Bill 67, and we could have had hearings, as took place with the Honourable Mrs Cunningham's bill, but we didn't with this bill. It's unfortunate. Times have changed, I guess. No longer can an MPP bring forth a private member's bill and actually expect it to become law. Instead, you have to hope it gets the support of the Premier's office, at which point they pick it up and run with it and go through the excruciating exercise of trying to distance themselves with it. I don't think it's very good legislating. We all play the game.

That said, I have to say in response to the debate that it's disappointing to hear an honourable member say that the bill introduced by any member was a weak and half-hearted attempt. It's unfortunate, but here we are. You'll be hearing more from me on the substance of the bill itself.

Mr Peter Kormos (Niagara Centre): I have a lot to say about this bill, because I think the Tories had a wonderful opportunity to do something, but they blew it again, so I'm going to be speaking to the bill.

Do I sympathize with the motivation? Of course. Do I understand the history? You bet your boots I do. I just find it regrettable that these guys, when it comes to protection of the public, when it comes to safe communities, pay more lip service than they do to putting in effect real, meaningful legislation. The problem is I'm not going to get to speak to that this afternoon. I will be addressing this over the days to come. But I will be here at 6:45 this evening, on Wednesday, and I invite people to watch the Legislative Assembly channel at 6:45, when we will be exposing this government's dismal record on victims' rights, their pathetic Victims' Bill of Rights, which was dismissed in no uncertain terms by Judge Day, who made it clear that this government doesn't believe in victims' rights. We're going to talk about that at 6:45.

As a matter of fact, at 10 o'clock tonight, folks who are interested in hearing about some of these and other issues should watch the Michael Coren show on the CTS network. I'm going to be on there with a Liberal and Conservative counterpart. Down in Niagara, the CTS Coren show is on cable channel 18, so I invite people to tune in at 6:45 to the Legislative Assembly channel and at 10 o'clock, or at least 10:30 when the political panel starts on the Coren show, CTS network channel 18.

1710

Mr Bruce Crozier (Essex): I'll take this opportunity to make a couple of comments. One is to emphasize that we do support this bill and support the intent of the bill. I don't think there are many bills that are presented before this Legislature that can't use some improvement, but generally speaking we support this bill.

Isn't it interesting that, on a bill like this, perhaps the public won't notice that we're supporting the government, because so often we get criticized because we're merely always opposing. In this case, that won't be.

I was kind of struck earlier today when we were voting on a bill—and that's another thing that the public often observes, that we all seem to vote the same way. As

I explained last night, we were discussing a bill that had a hostage in it. In other words, there was a part of the Ministry of Training, Colleges and Universities bill that we did support, but there were other parts of it that we couldn't. In this case, we can generally do that.

It's also interesting to observe that not only in most cases, if not all, do the official opposition and the third party vote as a bloc, but I've noticed certainly in the last five years that I've been here that I've never seen a government member vote any differently than the whole pack. So the kettle can't call the pot black in those circumstances. In this one, I'm sure we'll get unanimous support on all sides of the House.

The Acting Speaker: Further comments or questions? The member for Malton-Gore-Bramalea-Springdale.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): Thank you, Mr Speaker. You almost got it right. It's Bramalea-Gore-Malton-Springdale, a very famous and well-to-do riding.

Our police chief, Mr Noel Catney, is a very hard-working police chief, as you may have heard. The whole force, in fact, is out there making sure they are addressing some of these issues of crime. We have heard in newspapers and in the media that a lot of times the criminals use these toy guns when they're out there robbing banks and whatever. It makes the life of a police officer very difficult. It's very dangerous and it's very hard for them to decide when there is real danger and when there is not real danger.

Sometimes people may not be serious about using the guns in a crime, but they get hurt; they die. We want to make sure that these replica toy guns are not sold to minors. If somebody really wants to have it, seniors or adults could certainly buy it for their children, so we're not trying to take it away. That from now on the sportspeople, the coaches, cannot have toy guns is fear-mongering.

I'm certainly happy that many of the members on the opposite side are agreeing with this bill. As we've said before, the Liberals are soft on crime. The federal Liberals, certainly, have let a very important bill die on the order paper. That was the victims of crime bill. They called this unneeded election which we are into. Those people are spending \$200 million. It's shameful.

The Acting Speaker: Response?

Mr Mazzilli: Certainly this is an overdue bill. It's a bill that was presented before the House, as you've heard, by the NDP in 1988—it was allowed to die on the order paper—and the member for St Paul's essentially took that NDP idea and brought it forward again. But private members' bills often have good intent and that intent is honourable. However, when you get to looking at the bill itself, which was drafted by a private member, it's certainly unworkable. Often definitions run in conflict with the federal Criminal Code, and over a government that has jurisdiction over criminal law.

So in looking at the two bills in relation to replica or imitation guns that were presented by the NDP in 1988 and by the Liberals in 2000, what we had to do was ask,

"How can this work and be effective in the province without going into federal jurisdiction?" That's what we have done or are attempting to do with this bill, is support it.

The first intent is to ban the sale or purchase, transfer or receipt of starter pistols that can be converted to fire live ammunition. Certainly that is overdue, because these manufacturers are trying to get around criminal law by selling such an item that can easily be converted. That's why I am proud that we're banning these altogether. The second is to make it an offence for commercial vendors to sell or lease deactivated or imitation firearms to anyone who is under 18 years of age. I believe this bill will suit those needs.

The Acting Speaker: Further debate?

Mr Bryant: I'm happy to rise on behalf of the official opposition. We obviously support this bill. We brought the identical bill forward in the spring of this year. It received unanimous support from the House. So you won't be surprised to hear that Dalton McGuinty and the Ontario Liberals want to regulate phony guns, which can kill and, worse, up until now, could be bought like candy from a corner store, as the member for Durham said, which is true. Some hardware stores have in-store policies such that you have to be 18 to buy them. I know Canadian Tire does that; I think Wal-Mart does that as well. But not all hardware stores do.

This issue came in front of me for the first time when I was at a hardware store. I was waiting to buy some fishing tackle. In front of me was a young couple. They were about 18. They wanted to buy a gun. I was watching them and they were choosing the gun depending on which one looked most like a gun. They are guns that are \$50, \$100, up to \$300—BB guns, air guns, pellet guns and also starter pistols. I'll talk about those in moment. But they are, without a doubt in my mind, manufactured in a way as to look like guns.

I displayed a couple of these phony guns in the House, with unanimous consent to do so, unlike the late, great member, Mr Shulman, who decided to bring a gun into his House without unanimous consent. I did get unanimous consent and I showed members of this House who hadn't seen how much these guns look like real guns just what a danger they are.

Also, from a distance, they look like guns. Up close, these phony guns look like guns. The barrel is made in a way that it's the size of a firearm barrel, when in fact the pellet that's coming out of it is much, much smaller. So these guns are manufactured to deceive people who actually know what the end of a barrel looks like; they look like a real gun.

After this couple had left the hardware store, I asked, "What do you have to do to buy one of these guns?" I was told, "Nothing. Anybody can buy these guns." I said, "Can 12-year-olds buy these guns?" He said, "Yes, anybody can buy these guns."

1720

So we did some research, contrary to the assertions of the honourable members, who don't mean it. They don't

really think for a moment that research wasn't done into this. That's an insult to legislative counsel and an insult to the great research staff at the Legislative Assembly of Ontario who work on private members' bills and assist members. They are totally invaluable. I wish we had twice as many of them there. That's a pitch for their budget without any shame. We found out that, yes, the federal government does regulate replica guns. The government would have you believe that the federal government has a monopoly, a trademark if you like, over the words "replica guns" and that you can't use the words "replica guns" in legislation without it necessarily being ultra vires. It's an absurd argument. They know it's an absurd argument. It's a stretch. The government took great pains to ensure that they get all the credit for this bill.

1720

Let me speak to that issue of a monopoly over terminology. I'm going to go through the bills and compare the two and show everybody in the House willing to listen, and for the Hansard, that in fact there is nothing about Bill 67 which is ultra vires; there is nothing about Bill 67 which duplicates the Criminal Code. In fact, the NDP bill spoken of—and of course we were aware of that bill when we went through the drafting stage—was different from the government bill and different from Bill 67 that I introduced.

That bill did attempt, actually, to regulate weapons which are already regulated by the Criminal Code. In fact, that bill attempted to ban weapons that were already regulated by the Criminal Code. It would be the equivalent of, absurd as this would be because the Harris government would never support such a thing, the Harris government attempting to ban handguns. Well, they can't do that. Why? Because handguns are already regulated under the Firearms Act and under the Criminal Code.

The NDP bill in fact did have constitutional problems. Every bill may have constitutional problems; we understand that. But it is so farcical for the government to suggest that because Bill 67, introduced by myself, has the words "replica handgun" in it, and those same words show up in another federal statute, there is an unconstitutionality. It's particularly farcical—they're sort of hoist on their own petard because they end up using language that's a description. Instead of "replica firearm," they use "imitation firearm." That also shows up in the Criminal Code. By their own argument, their legislation should also be unconstitutional. But I'll tell you it's not, in my view, nor was Bill 67. Instead, we have this painful exercise of the government reinventing the wheel.

Let me say something about that. Besides the fact that the reinvention of this wheel was an extraordinary flip-flop, one which I had certainly not witnessed since being a member, whereby the justice ministers were saying one thing one day and the Premier was saying the opposite the next day and then the justice minister flipped another flop and ended up supporting the position that he had previously rejected, besides there being a frankly embarrassing flip-flop and a total unwillingness to at least be

open-minded to an issue that is brought by the official opposition, or for that matter from the third party, and besides the fact that this government's record when it comes to curbing gun violence and recouping its costs is an embarrassment, it being in the holster of the gun lobby and Ontario Liberals being four-square in favour, as unpopular as that may be in some quarters, we're ready to fight gun violence, curb it and recoup its costs. We're in favour of gun control and not afraid to say so. This government of course challenges it at every step in the courts. I'll get to that in a moment.

There's some discussion here about who should get credit for it. Should it be the NDP member? Should it be the member for St Paul's? I was really disappointed to hear the member from Barrie-Simcoe-Bradford refer to Bill 67 as a weak and half-hearted attempt. It wasn't a weak and half-hearted attempt. In fact, it went much farther than the bill that has been introduced by the government. It would have required, if you want to put it in these words, stronger controls over the use of phony guns. I don't think ex-cons should be able to purchase phony guns. This government disagrees. They left it out of the bill.

But besides all that, in all seriousness, it is unfortunate at best that we had a bill that for all intents and purposes this government supported and was unanimously supported by the House and, leaving aside who gets credit for the bill, as a result of this charade by the government, a bill that could have and should have been made law in June, or at least gone to hearings over the summer, or at least gone to third reading when the House reconvened, that instead is not going to pass for some time at least, because we're back at second reading. This is déjà vu all over again on the issue of phony guns.

Leaving aside the issue of political credit—and I know that perhaps members think it's appropriate to play this game and I say to you, I don't care who gets credit for this law. It was a gaping vacuum in our criminal justice system that these things could be bought by kids and ex-cons. It was a gaping vacuum in our provincial and federal legislation, for that matter, although only the province can regulate these items, that they would end up being the weapon of choice for cheap criminals, because they're obviously a lot cheaper than buying real firearms and you don't even need to go to the black market. It was a problem that was at least the focus of my attention. I'm glad this bill is going to become law. I'm glad that we are going to regulate phony guns. I'm glad. I support that. The official opposition supports it. Dalton McGuinty has been saying from day one that we need to curb gun violence and recoup its costs.

Again we're going to talk about the government's record on that, which is the opposite of the position taken by the official opposition. We had an idea and a law that we all agreed was right and should pass. As a result of political gamesmanship it has been delayed for months. I don't know, by the time it comes into effect, whether or not it will have been delayed by a year. That can't be a proud moment for this House. It can't be a proud moment

for MPPs on both sides of this House. It must be particularly disconcerting to government MPPs who are not in the cabinet and who have to go back to their ridings and say, "Oh no, don't worry. Just because I'm not in cabinet doesn't mean I can't get laws passed."

In fact, it turns out that if you introduce a private member's bill that the Premier's office likes, then it becomes a law under the authorship of the Premier's office, no matter the fact that prejudice may befall victims who would benefit from such a bill. That is a disgrace. It's a sad commentary on our Legislature today. It leads young people who watch what we do here to wonder why we spend time in these seats debating what we are debating when in fact no real dialogue is taking place. A school—and I don't want to say which school, because all the schools in St Paul's are my favourite—my favourite school from the riding came in today and they asked me, "I was watching on a Thursday morning. Why is it that everybody is signing Christmas cards?" I said it's because private member's business is not given the appropriate respect and accord by this government and you end up getting swallowed into the black hole of the Premier's office if the government is against it, and if they like it they're going to delay the good that might come from it in order to take political credit. I think it's horrible. I think it's horrible if it was done in the past under any other government, and I think it's horrible now.

Let's get back to what this government really stands for when it comes to guns. There's no doubt that when it comes to the regulation of phony guns, this government is all over the map. This has been a huge embarrassment for the government, notwithstanding all the efforts to try and paint this as a good-news ending for the government.

I happen to think it is good news because we've got the law in place. But let's just go through the facts. On April 17—it was a Monday—at around 1 o'clock, an announcement was made by the official opposition on the issue of phony guns. I said that I'd be introducing a bill that would crack down on phony guns. Minister Tsubouchi and Minister Flaherty are scrummed on the issue. What did they say? I'll tell you what they said. It was a subject of coverage from three newspapers. The Globe said, "Tories Will Not Back Phony Gun Law." This was dated Tuesday, April 18. Solicitor General Dave Tsubouchi said he sees no need for Ontario to act. Instead, he argued that it's up to the federal government to deal with the problems by stiffening the penalties for possessing phony guns during the commission of a crime. He rejected it. He said no to phony guns.

1730

I want to give all three newspapers that provided coverage credit where credit is due. The Toronto Star also reported on this saying, "Solicitor General David Tsubouchi and Attorney General Jim Flaherty dismissed Bryant's proposal yesterday, saying the province should not impede the sale of guns or starter pistols." Here is what the Attorney General said: "Attorney General Jim Flaherty complained that the federal Young Offenders

Act is not hard enough on young offenders who commit crimes with real guns or with phony guns."

Here is his quote. You won't believe this. Here's what the chief legal officer to the executive council to the cabinet said. Here's what Mr law-and-order, the Honourable Jim Flaherty, said about this very bill: "The Young Offenders Act has to address this issue of the use of facsimile weapons." He has either changed his mind or he is permitting a bill to pass through this Legislature with the support of the government that he says is ultra vires and unconstitutional.

This is an embarrassment for the government that it flip-flopped. But I'll tell you what: at least we've got the law passing and at least we are going to get some legislation in place that I hope will help victims and help police.

So what happened, exactly? I'll tell you what happened. The Premier of Ontario got on a radio show the next day. This time the Toronto Sun reported on April 19: "Premier Mike Harris says he favours looking at restrictions on the sale of replica guns—just a day after his justice minister shot down the idea." Thereafter, of course, the government fell on side, with the exception of the member from Haldimand-Norfolk-Brant, who spoke against the bill, and I'll get to that in a moment.

The reason that the justice ministers took the position they did, frankly, is because when it comes to the issue of gun control, this government is opposed at every turn. If this government is given the opportunity to curb gun violence and recoup its costs, it runs. It runs as quickly and as far away as it possibly can. That's what Minister Tsubouchi and Minister Flaherty did. They knew. The computer chip told them, "We are against gun control. We are in favour of whatever the gun lobby tells us to do." It turns out that the Premier of Ontario figured out that the people of Ontario disagree with that position, and he jumped on to the parade that Dalton McGuinty and the Ontario Liberals have been leading for some time.

Bill 67 was introduced on April 19. The first reading of course passed, as it often does, on a voice vote. Second reading took place on June 22. There was some hedging, just incredible, fluffy, waffling language from the member for London-Fanshawe, like the concept. But what the people of London-Fanshawe and what the people of Ontario want when it comes to issues that affect victims of violence is leadership. They're not interested in concepts, they're not interested in blaming other governments; they're interested in leadership. Here was an opportunity for the members to say, "Yes, we support this."

Interestingly, nobody got the e-mail—or I guess in this case nobody got the cinder block—over to the member for Haldimand-Norfolk-Brant, who said this, and remember, this is the exact opposite of what the government bill ends up advocating: "Will requiring someone to fill out forms at the point of purchase for an air gun or a starter's pistol stop them from using it in a crime if they choose to commit one?" This is his rhetorical argument against this bill. He then said, "The problem is not that people out

there have air guns and starter pistols. The problem is criminal use, that during a crime, police and shopkeepers can't tell the difference."

Well, he's wrong. We recognized that and brought forth Bill 67. The Legislative Assembly of Ontario recognized that and provided unanimous support to Bill 67 on June 22. It was referred to justice committee. I'll tell you, at that point I communicated to the government in every way imaginable that if they wanted to provide amendments, if they wanted to change the word "replica" to "imitation" to save face, I would have done that. We wanted the law passed.

When I go through the law to compare the two, you're going to see that they are identical. They do exactly the same thing. My bill in fact would have had tougher restrictions—ex-cons couldn't have got that. But if the government had said, "Look, in order to get this thing passed, you're going to need to take that off the table," that would have been considered at committee and we could have heard from police groups. But no, we were not going to go to committee, unlike the minister of universities and colleges' private member's bill. The Honourable Mrs Cunningham introduced a bicycle helmet bill as a private member when the third party was in government. She got full hearings and the bill became law. But not any more in the province of Ontario. We have, with the greatest of respect, an honourable tyranny, whereby all things are controlled by the strings in the Premier's office, and Bill 67 was not going to become law. As a result, we're going to have to wait before victims of crime get the benefits of regulation of phony guns.

So why did I bring Bill 67 forward, why do we support the bill currently before the House and why is the member for Haldimand-Norfolk-Brant dead wrong? I'll tell you why. Forty per cent of the guns picked up by police in Toronto, in Windsor and in Ottawa are these guns. I call them phony guns: BB guns, starter pistols, air guns. They look like guns but they're not covered under the Criminal Code. They're not replica guns. Why? It's strange, I know, but they actually shoot something. Here's what's odd: if you want to buy the ammunition for these BB guns, air guns, pellet guns, under the ammunitions act you've got to show ID. The ammunition for these guns is regulated but the guns themselves are not. It's preposterous.

Mr Mazzilli: That would be a federal problem.

Mr Bryant: Again the member for London-Fanshawe hasn't done his homework, hasn't done the research that he's accused the official opposition of not doing. The ammunitions act in fact is a provincial bill.

Mr Mazzilli: There is a federal ammunitions act, too.

Mr Bryant: There's a federal ammunitions act too, he said, but it's not the act that applies. In fact, it's the province of Ontario that regulates ammunition. Why? Because it's a consumer product. It's not something that's already regulated by the Criminal Code. So the government of Ontario is already regulating under the Ammunition Regulation Act, 1994, prohibiting the sale

of ammunition, defined as a cartridge, shot or pellet, to anyone under the age of 18, I would tell the member for London-Fanshawe.

I'll tell him something else, since he obviously doesn't know the bill exists. The province is required to maintain a ledger indicating to whom the ammunition has been sold and in what quantity. That is the idea behind Bill 67, and I think it's fair to say that that's really the crux behind the bill we're debating here as well.

So the member for Haldimand-Norfolk-Brant is wrong. If in fact we prevent at point of purchase and at least regulate at point of purchase the sale of these guns, then we'll at least ensure that kids aren't buying them. We're at least sure that kids aren't buying them. That makes sense to me. We're also making sure—and here's a concept that is new to this government—that we're going to track who has these guns where they were sold. That helps police. That's why the police support the federal gun control legislation. The member London-Fanshawe suggests that the police don't support the federal gun control legislation. That's not true at all. The Ontario Provincial Police Association does; the Police Association of Ontario does; the chief of police, Julian Fantino, does. Again, I urge the member to do some homework. Join the parade on gun control, I tell the member.

In fact, the case here is that if you do regulate and track them, you're doing something about the high proliferation of these guns on the streets and in the cities and all the urban areas that I'm talking about. Forty per cent of the weapons picked up fall into this category. In some cities that's higher than the handguns picked up. That's a serious problem, so we're going to address that. I hope that it's not 40% next year and I bet it's not. I bet that number goes down.

1740

I heard the absurd argument from a representative of the National Rifle Association—we'll get to them in a sec—that if we regulate these phony guns we're going to have more firearms. But of course that's only because the National Rifle Association doesn't want any gun control at all. They believe in the right to bear arms. That may be the American position, taken by a large plurality of Americans, but I can tell you it's not the way the people of Ontario think. They do want gun control because they want some control over these dangerous weapons. In the same way we went through the painful exercise of getting used to seat belts in our cars but we're now used to them, so too are we going through the sometimes painful exercise of regulating a previously unregulated activity.

If you control it at point of sale, you're going to make a difference. How are we going to make a difference? Well, maybe we're going to prevent some tragedies. I'll give you examples of some tragedies.

On January 1, 2000, Henry Musaka was fatally shot by police. Musaka had a gun, the police saw. Using the gun, he was holding a hostage. He was shot dead. That was a phony gun; it was a BB gun. That gun should not have been in the hands of that man, in my view; he

certainly shouldn't have been wandering the streets with it. Perhaps, if Bill 67 or the government bill had been in place in time, we might have averted this tragedy.

On January 2, police responded to a complaint that a man pointed a gun at a complainant and his wife; it turned out to be a pellet gun. This is just the first week of January.

On January 8—we're now into the second week—police seized a pellet pistol and BB gun from three young men who were firing at targets at the Glen Stewart ravine. I would suggest that in an urban area, target practice is at best reckless and at worst incredibly dangerous and maybe criminal.

On January 7, police responded to a call from concerned residents of a rooming house in Toronto concerning a man with a gun. They said he had a .357 magnum handgun. That's what they told the police. The police went in there. It looked like a .357 magnum, but guess what? It turned out to be a pellet gun. It was confiscated by the police.

On March 31, 2000, police seized more than \$1 million in starter pistols and pen guns from a Montreal individual who supplies merchandise to dozens of Ontario stores. There were so many of these starter pistols floating around, you would have thought we were having seven Olympics in the Ontario, with so many track meets taking place, but that wasn't the case. In fact, starter pistols are the guns of choice for cheap criminals, because starter pistols can be converted into firearms with a simple tool. Bill 67 would have regulated that; this bill will do the same. That's why we support this initiative.

But let's be clear: this government has been in power since 1995. Since 1995, we've had nothing less than an epidemic of these phony guns floating around on the streets, and this government did nothing until the Premier was embarrassed into reversing the decision of his justice ministers and supporting Bill 67. If there is any lesson from a legislation point of view, I only humbly suggest that the government at least be open to ideas to avoid such embarrassment in the future.

On May 30, 2000, two Hamilton-Wentworth police officers drew a weapon on a man who was waving a real handgun—they think. It turns out, nope, that the gun was a plastic imitation. They described the incident as a deadly game of chicken. The imitation turned out to be one of these phony guns.

I could go on with more incidents of phony guns causing terror for police and victims.

We've had the problem for some time. The government did nothing about it until such time as it was embarrassed into doing it. I say to the government, particularly in light of the debate that has taken place up until now—because I can assure you that reciprocity is going to govern when comments are made such as that by the member for Barrie-Simcoe-Bradford that the efforts by the official opposition on this were weak and half-hearted. It's in that context that I say better late than never.

So then what happens? Bill 67, introduced in the spring of this year, gets endorsed. People start writing in, providing their support for the bill. I would have thought these endorsements would have been enough for the government to make this bill a law. The Police Association of Ontario wrote on May 15, expressing their appreciation for my initiative "of trying to develop effective law to promote and enhance community safety. We all share in that responsibility," said the Police Association of Ontario in a letter from Paul Bailey on May 15, 2000.

Brian Adkin, president of the Ontario Provincial Police Association, wrote on June 22, 2000, that they reviewed my private member's bill for replica guns. I'm going to finish the letter and then make the point that everybody was aware of the potential concerns with the language. The OPPA, the PAO and everybody who endorsed this bill looked at it, looked at the Criminal Code, and came to the same conclusion as legislative counsel for the Legislative Assembly of Ontario, and that is that our legislation was *intra vires*. Here's what Mr Adkin said: "Our board of directors supports the passage of your bill. We feel that the safety of the public is paramount and your bill makes the public safer."

Chief Bill Closs, chief of police at Kingston, wrote on April 28 that he fully supports and endorses the bill.

The Canada Safety Council wrote on April 20, 2000, that air guns and pellets guns are as easy to buy as comic books and can present serious risks. "These products ... are often mistaken for real firearms and are inherently dangerous consumer products." That's signed by president Emile Therien, who explicitly endorses the bill.

A letter from Brian Ford, chief of police, Ottawa-Carleton Regional Police Service, April 26, 2000: "I would like you to know that I strongly support this private member's bill as an excellent initiative which will go a long way in making our communities a safer place to live."

In a letter dated May 2, 2000, chief of police Julian Fantino, Toronto Police Service: "I am pleased to advise that I support and endorse this bill," in reference to my private member's bill. He believes the bill "will assist in reducing offences committed using replica guns"—which brings me to this illusion of confusion that this government is trying to create with respect to Bill 67.

They say that because Bill 67 makes reference to replica firearms and the term "replica firearm" is in the Canadian Criminal Code, therefore it must be unconstitutional and *ultra vires*. They know very well that that's not true. In fact, the term "imitation firearm" is also in the Criminal Code. "Imitation firearm" is defined as "anything that imitates a firearm and includes a replica firearm," "replica firearm" being defined in the Criminal Code as "any device that is designed or intended to exactly resemble or to resemble with near precision a firearm that itself is not a firearm, but does not include any such device that is designed or intended to exactly resemble or to resemble with near precision an antique firearm."

OK. So what about the imitation replica firearms that shoot something? Well, that's not covered under section 84. Whether you call it an imitation firearm or a replica firearm or a phony gun or a BB gun, air gun, pistol, pellet gun, starter pistol—no matter what you call it, it's not regulated by the Criminal Code. That's why Bill 67 was endorsed by the aforementioned persons, who would not have endorsed something that they knew very well to be unconstitutional.

Go through Bill 67 and through the current bill before this House and you will see this bill is basically identical, with cosmetic changes. A replica firearm is called an imitation firearm. Missing from their bill, under subsection 2(3) of Bill 67, is this: I would have required that a purchaser must not have been convicted of a criminal offence and that there must not be any pending criminal charges against the purchaser. Doesn't that make sense to you? Should somebody with a criminal record be able to buy a gun that looks like a gun and shoots, that makes up 40% of the weapons that are picked up by the police in urban areas, that in fact cause death, that victimize police? That section was endorsed by police and victims' groups and safety council. Why the safety council? Because the number one cause of blinding amongst kids is BB guns, air guns, pellet guns, these guns that are regulated. But no, no, this government wanted to bring its own bill forward and not pass Bill 67. It wanted to dilute the tougher protections under Bill 67 and put in the word "imitation" and pretend that they had created a new bill. They have not.

1750

I just want to make it very clear to the House that if the government had said, "Look, your tough measure is too tough for us, Bryant. Take it out," I would have happily done it.

I don't know what a replica is, and the Attorney General in his press comments made reference to a facsimile weapon. So why don't we call it imitation? I'd say, "Fine. Why not? Let's just get this thing passed." Instead, we have to go through this exercise whereby a bill that already had unanimous support from this House is being debated, this excruciating exercise where government members are trying to make distinctions and water down their own votes and efforts and words of support for an idea that should already be a law.

I shouldn't be surprised, because I don't think I'm going to find any support from this government for the other four points in the Ontario Liberals' five-point plan to reverse the epidemic of gun violence. On February 15 I announced, "It's time to curb gun violence and recoup its costs, so let's bring forth this phony gun bill." They dismissed it—oops, until the Premier reversed himself.

At that time the government was told, and I'll tell them again, that fact gun violence costs Ontario billions in health care and economic costs. One of out five suicides, one out of five robberies, and one out of three homicides involve a gun.

Mr Mazzilli: Real guns.

Mr Bryant: We are the largest province in a nation ranking fifth in the world in terms of firearm-related deaths among children.

The member for London-Fanshawe, I believe, said, "Real guns." You're right. Hence the incredible mendacity—of course, Mr Speaker, I would never say hypocrisy, because that would be unparliamentary—but the mendacity, the incredible economic use of the truth by this government, when they're ready to crack down on phony guns on the one hand, yet they want to fight in the courts, at taxpayers' expense, efforts to regulate real guns on the other hand. Mr Speaker, I cannot say the word "hypocrisy" and I'd never violate the decorum of this House, but I'm sure that everybody in this province understands that when it comes to gun control this government is something that starts with an H.

The second point of our gun plan was to commence litigation against gun manufacturers and distributors to recoup Ontario health care costs of gunshot victims. Twenty-seven states have done that. The President of the United States has done that. Will this government do that? No, because this government is in the holster of the gun lobby, caught out, for once, on a particular issue: tough on toy guns, soft on real guns.

I think we should pass legislation that would require, as I announced on February 15, trigger locks, that they be mandated on every single gun sold in Ontario. I say you should not be able to buy a gun in the province of Ontario that doesn't come with a trigger lock. There are American gun manufacturers voluntarily doing this, but not the Harris government. They'd never support that measure. Tough on toy guns, soft on real guns.

This is the government that passed a regulation that permits 12-year-olds to use guns. I would say that just as we don't have 12-year-olds driving cars—there is a time, of course, when a young man or woman may want to learn how to use a firearm with their family. Twelve years old is too young. So says the OPP and so do we agree. Dalton McGuinty and the Ontario Liberals, when we form the government, will repeal that regulation.

How about a guns-for-goods program across the province? I proposed that. Dalton McGuinty and the Ontario Liberals would like to see it happen across the entire

province. A councillor in the city of Toronto commenced such a program and it was wildly successful.

Did this government pay attention to this five-point plan? Did they move on it at all? They ran from it because they have to run from it, because they are in the holster of the gun lobby.

This government may not know that in a 1997 study conducted by the Centers for Disease Control we rank fifth-highest, behind the United States, Finland, northern Ontario and Israel respectively, in terms of firearm-related deaths among children. Department of Justice statistics reveal the extent to which we have a gun epidemic in this province. Yet when we put forth legislation that controls guns—I mean, we in the city of Toronto and in most cities across this province regulate whether you cut a tree down. You can't cut a tree down without getting a permit.

But this government went to the Supreme Court of Canada, on the side of the gun lobby, to argue that we should regulate these phony guns, these toy guns, but no, no, no, we shouldn't regulate real guns. Their argument was truly made in bad faith, because the province of Ontario argued, to quote from the Ministry of the Attorney General factum, court file 26933, that "the registration of ordinary firearms is a significant intrusion on provincial jurisdiction, and ultra vires the Parliament of Canada." So it said regulating firearms is provincial. Number one, that's the opposite of what you've just heard in the House today. Number two, the Supreme Court in fact found in favour of those who want and need gun control laws and rejected the Ontario Attorney General's argument. But here's what was truly, really—and I can't say the H word again. Here was the mendacity of what this government is all about. They wanted to strike down something on the basis that it was provincial jurisdiction, yet they refused to take the responsibility for that jurisdiction.

Mr Speaker, I'm sure I'll have a lot more to say on this.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until 6:45 of the clock this evening.

The House adjourned at 1758.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 1 November 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 1^{er} novembre 2000

The House met at 1845.

ORDERS OF THE DAY

VICTIMS' BILL OF RIGHTS AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA CHARTE DES DROITS DES VICTIMES D'ACTES CRIMINELS

Resuming the debate adjourned on October 25, 2000, on the motion for second reading of Bill 114, An Act to amend the Victims' Bill of Rights, 1995 / Projet de loi 114, Loi modifiant la Charte de 1995 des droits des victimes d'actes criminels.

Mr David Caplan (Don Valley East): I'm very pleased to be joining the debate today on behalf of all the residents of Don Valley East. I will be sharing my time with the member for Glengarry-Prescott-Russell.

Bill 114 is an amendment to the Victims' Bill of Rights, but I think, Speaker, you would know and all members of this Legislature would know that when some victims in this province tried to claim those rights—or supposed rights—the government of Mike Harris went to court and opposed them.

I'd like to read to the members of the Legislative Assembly here today and to the people of Ontario as well from court file 97 c.v. 134533-SR, Ontario Court (General Division), between Karen Lee Vanscoy, Linda Marie Even, and Tracy Lilian Christie vs Her Majesty the Queen in right, represented by Thomas H. Marshall, QC, and Robert E. Charney for the respondent, for the people of Ontario. In this particular case, these three victims claimed that their rights under the Victims' Bill of Rights had been violated and they were seeking remedy from the court for redress. The provincial government under Mr Harris, under the Premier, sent these very able and very expensive lawyers to court to argue that there were no rights accorded to victims.

I'd like to read from the judgment of Justice Gerald Day, what he has to say about the arguments that were presented. The first victim was Karen Vanscoy. On September 24, 1996, her daughter Jasmine was shot in the forehead with a 45-mm semi-automatic weapon. In Linda Even's case, she had asked her ex-common-law husband to leave her home. He refused, told her he was

going to kill her. He attacked her with a pair of scissors. In the third case—sorry; I don't have the third case here.

What happened was that the government went and argued that there were no rights afforded to any of these victims of crime. In fact, what Mr Justice Day, agreeing with the government lawyers, said—and I'll quote directly from chapters 21, 22 and 23.

Chapter 21: "Finally, if there is any doubt remaining, the exculpatory language of s.2(5) specifically provides that no new cause of action or appeal would arise from any breach of the principles enunciated.... This clearly and unequivocally makes the point that the Legislature did not intend for s.2(1) to provide any substantive statutory rights to victims of crime."

It goes on in chapter 22: "In light of the above, I conclude that the Legislature did not intend for s.2(1) of the Victims Bill of Rights to provide rights to the victims of crime. The act is a statement of principle and social policy, beguilingly clothed"—that's a great word, "beguilingly"; it's the connotation of attempting to make people believe that there are rights when the intention was never to do that, of attempting to deceive them—"in the language of legislation. It does not establish any statutory rights for the victims of crime."

Justice Day goes on in chapter 23: "As such, the applicants' submission that their statutory rights have been violated fails simply on the basis that there are no rights provided in the Victims' Bill of Rights.... Therefore, in respect of question (i), does s.2(1) of the Victims' Bill of Rights provide statutory rights to the applicants, the answer is no"—and a very emphatic no.

That's the heart of the matter here before us today. Bill 114 is an amendment to this so-called Victims' Bill of Rights, an amendment that, I must admit, upon hearing at first reading that the Attorney General was introducing a piece of legislation to amend the so-called Victims' Bill of Rights, I thought he was going to make a change that would give all Ontarians the real, incontrovertible ability to seek redress, real rights, firmly in law.

1850

But that's not what he did. In fact, the Attorney General stood in his place and said, "We think the only change that needs to be made to the Victims' Bill of Rights is that we're going to continue to do what we're already doing." What he said was that in fact he was going to make the Office for Victims of Crime a permanent one. What a farce. What a complete and absolute joke. When the previous Attorney General, Mr Harnick, and the Premier had referred to this legislation, they had

said quite clearly that they wanted to provide rights to victims. And the only amendment the government could come up with is a two-page joke to do what is already happening in the province of Ontario.

This is, unfortunately, a fraud being perpetrated on the people of Ontario, again, to make them believe that the Harris government treats victims with any kind of respect at all. It is very clear from the actions and from the inaction of this government, the actions being sending the high-priced help to court to claim that there are no rights for victims, and the inaction being failing to amend that law to give it some real teeth and some ability to protect victims. Those things show quite clearly that the Mike Harris government is all talk and no action when it comes to law and order.

It's not surprising. We've seen this on many other fronts. I'll give you some examples. We have an initiative by one of my colleagues, supported by Dalton McGuinty and the Ontario Liberal Party, to join the fight against date rape drugs. We've called on the Harris government to extend testing to all victims who suspect they've been drugged and raped. Currently, only victims who decide to get the police involved are able to determine whether they've been drugged or not, and this happens less than 10% of the time. So what does the Conservative government do? Well, they failed to seek intervenor status in the BC Court of Appeal when the law was struck down.

It was only after Ontario Liberals called for action that they got involved in the case of child pornography.

Let me tell you about another initiative of the Ontario Liberal Party of Dalton McGuinty and his team. We announced a five-point plan to curb gun violence in Ontario, to recoup the costs. The five-point plan calls for:

- Regulating the sale of phony guns. My colleague from St Paul's in fact introduced a bill.

- The commencement of litigation against gun manufacturers and distributors in order to recoup Ontario health care costs for gunshot victims.

- Passing legislation about trigger locks, something, by the way, that even the Republicans in the United States are in favour of.

- Repealing the regulation permitting 12-year-olds to use guns, something that was brought in by the Harris government, a silly notion.

- And certainly commencing a guns-for-goods program in Ontario, a trade-in program.

What is the record of Mike Harris? Well, they insulted victims of gun violence by supporting a court challenge to the Firearms Act, an action and a piece of legislation that was brought in in the federal Parliament by another Liberal government. They went to the Supreme Court of Canada, squandering taxpayer dollars, to fight this particular piece of legislation.

We have other initiatives in the Ontario Liberal Party. You see, we are for taking strong action. We're not for paying lip service to victims of crime and to crime itself. We've called on the Attorney General to beef up Ontario's hate crime unit by doubling the number of

employees. Speaker, you would be aware that when Mike Harris and that party were on this side, we used to hear a great deal from them on hate crimes. Charles Harnick, then Attorney General critic and later Attorney General, used to be very vocal about the need to prosecute and the need to address this area. Of course now, into their sixth year, the Harris government has done absolutely nothing.

We've also noted that the Harris government cut off benefits for victims of sexual abuse at the Grandview-Galt training school for girls. They've abandoned victims of crime once again.

It's very interesting to see a repeated pattern of press releases, of talking the talk but certainly not of walking the walk. The Harris government, quite frankly, can't be trusted when it comes to standing up for the needs of victims and standing up against crime in this province.

I know that my colleague has a great deal more to say, so I just want to say that it's very clear that the people of Ontario have seen nothing—all talk, no action—from the Harris government. But the Ontario Liberal Party and Dalton McGuinty have offered significant and substantive changes that would make a real difference and a real impact on crime.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I am pleased to rise and speak on Bill 114, An Act to amend the Victims' Bill of Rights, 1995. It is a coincidence that we debate this bill on the very first day of the month of November, called Wife Assault Prevention Month in Ontario.

The Office for Victims of Crime has already been open and reporting to the government for two years. The request for a permanent office comes directly from the recommendation made by the Office for Victims of Crime to the government in its report entitled *A Voice for Victims*.

The chair, the vice-chair and the members will be appointed by the Lieutenant Governor and will have no power. When I look at the bill, there is no power to this board at all. When I go through the bill, it seems to me that this body will be there as an adviser only. I don't see any place that they will be entitled to do an audit, that they will have the responsibility to do the assessment.

The Office for Victims of Crime was established in 1998. In June 2000 this government decided that it was time to come down with a permanent office. We support a permanent office, but with the limited power this body will have, it is a big question.

Given that this is all that the Tories believe needs to be changed in its Victims' Bill of Rights, 1995, to me this is a dark day for victims' rights in Ontario.

I have to look further. The Harris government was missing in action and failed to seek intervenor status at the BC Court of Appeal when the law banning the possession of child pornography was struck down. It was only after Ontario Liberals called on the Tories to intervene that Ontario's Attorney General announced that he would be attending the further appeal to the Supreme Court.

The Harris government insults victims of gun violence by supporting court challenges to the Firearms Act. This legislation was put in place following the tragic events at Montreal's École Polytechnique on December 6, 1989, where 14 women were killed.

I don't see any place in the bill where we have additional protection, especially for women, since November has been declared Wife Assault Prevention Month. When I look at the Domestic Violence Protection Act, these could be married together. We had a long discussion, after which we passed second reading on October 5.

We know that only about 25,000 calls are answered by the help line, but there is an additional estimate of between 50,000 and 75,000 calls that are not being responded to, that are being missed. Why am I saying that? Any time there is violence within the family, who has to leave first? The woman has to leave home, not the man. The woman is left on the street. They have to look for shelter, and there is a shortage of shelters all over Ontario. More and more, the time those women have to wait—sometimes they do have financial problems and it is creating a major problem especially in rural areas.

1900

I tend to support this bill, and I believe the McGuinty team is also intending to support the bill, depending on what is going to come out of this debate today. When I look at this bill, it will allow the Lieutenant Governor to appoint a chair and a vice-chair of the office from among the members of the office.

“Advisory function.

“The office shall advise the Attorney General on,

“(a) ways to ensure that the principles set out in subsection 2(1) are respected”—when I say that this body is appointed as advisory, I think this doesn't go far enough.

“(b) the development, implementation and maintenance of provincial standards for services for victims of crime.” This is going to be the responsibility of this body.

“(c) the use of the victims' justice fund to provide and improve services for victims of crime;

“(d) research and education on the treatment of victims of crime and ways to prevent further victimization; and

“(e) matters of legislation and policy on the treatment of victims of crime and on the prevention of further victimization.”

When I look at this, it's very liberal. I just wonder at this time who will be appointed as chair and vice-chair. We don't know what the remuneration is going to be. I just hope we will follow the recommendations of this group that has been working together, that the recommendations they made to this government to create this permanent office will be listened to by this government and, again, that we will appoint someone as a chair or vice-chair who is fully aware of the needs of victims of crime.

The backgrounder I have here—even though it was discussed during the debate of the Domestic Violence Protection Act, I still say that those two bill could very

well be together, because this shows the need and the importance of having a permanent Office for Victims of Crime.

This is what I have to say on this bill, which is very important, and I'm sure this bill will go through as soon as possible for the protection of those victims.

Most of the time we refer to women victims of crime, but we must not forget the children who are victims when crime occurs in the house to women. Lately we just have to look at Patrick Roy, a well-known hockey player, and what happened in Colorado. Lots of women are in a position like this woman. All she did was grab the phone, dialled 911 and hung up. We were able to do the research and find out why that person had called. Those incidents do occur anywhere in Ontario, anywhere in Canada. Again, this government has a responsibility to make sure those people are protected from any further violence that could occur in a family.

Thank you very much. We will continue listening to this government to see what they have to say. If there are any amendments to be brought to Bill 114, we will listen to the government and then we will decide at the end if we are going to support it.

The Speaker (Hon Gary Carr): Questions and comments?

Mr Peter Kormos (Niagara Centre): There is but two minutes allowed for questions and comments. Ms Martel from Nickel Belt will be joining in on those. I'm going to be speaking to the bill at some length in around 10 minutes' time. As I indicated earlier today, before the supper break, this government's record on victims' rights is atrocious, it's abominable, and this bill is an insult. It's an insult to Karen Vanscoy and to Linda Even, and it's an insult to countless other victims who have consistently been betrayed by this government, rather than in any way given comfort or protection or support. What should have been a meaningful response to the judgment of Judge Day, which exposed Mr Harnick's Victims' Bill of Rights as not being worth the paper it's written on, ends up being a fluffy and embarrassing effort on the part of this government to cover its somewhat pathetic tracks when it comes to the rights of victims.

1910

Over the course of the years since 1995, when the Harnick Victims' Bill of Rights was introduced, members of the opposition parties—yes, both opposition parties—were rising in this House. Jim Bradley I recall on numerous occasions was dealing with the same victims I spoke about an equal number of times—Ms Vanscoy and Ms Even—and the Victims' Bill of Rights was more noteworthy in the violation of it than in the application of it. When the litigation took place, where the so-called bill of rights had to stand the test of judicial scrutiny, it was exposed for what the opposition had been saying it was over the course of some four years: nothing, zero, zip, a sham.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): As usual, the member for Niagara Centre is quite clear as to where he stands on this bill. The Liberals, on the other

hand, from Glengarry-Prescott-Russell and Don Valley East, have indicated that maybe they'll support it and maybe they won't. We'll wait and see what they're going to do.

With both members of the Liberal caucus who have spoken, if I could respond specifically to their remarks, it's as if this office has done absolutely nothing since its inception in 1998; I think it was November 1998. The office has handled over 250 cases to date, many of them very intricate and very difficult in the problems that have occurred. The members, if they don't know about it, should look into it a little bit more before they provide their criticism of this office.

Some of the areas where the office has been able to help victims, which the two members, specifically from Glengarry-Prescott-Russell and Don Valley East, have not referred to, have been dealings with the criminal injuries compensation process, and they have assisted victims in that process; they have assisted victims in ensuring that victims meet with crown prosecutors on a whole variety of issues; they have assisted victims in the enforcement of orders of a court; they have assisted victims with police and probation authorities; they have helped articulate to the appropriate officials victims' concerns when things haven't worked out as they should; they have helped with victim impact statements; they have assisted victims with upcoming parole hearings; they have helped victims deal with the mental health system; they have assisted victims to get information about their case or the system itself. There are a whole slew of other things that I hope the members will look into before they decide whether they're going to vote for this bill.

Mr Dave Levac (Brant): It's interesting that the member for Dufferin-Peel-Wellington-Grey wants to change the words that the two honourable members on this side were using to try to describe what the bill is not about, and what the bill did and did not do.

I want to compliment the members for Don Valley East and Glengarry-Prescott-Russell for the poignant way in which they're trying to offer the opposition on that side to seriously take a look at the bill. The member tried to put words into the mouths of the members on this side, that they were speaking against the Victims' Bill of Rights or the Office of Victims of Crime. Quite the contrary. What they were trying to say—I'll repeat it, because it's worth saying again—was that Justice Day basically said it does nothing to establish the statutory rights of the victims of crime. They said nothing at all about the office not going to be of great value to the people of Ontario. It's the typical spin that gets put on those types of comments that get offered to the other side about how to best improve legislation for the people of Ontario.

Time after time, members on this side from both the NDP and the Liberals have offered solutions and suggestions to legislation and it gets twisted around as if we're trying to say something against the people of Ontario. Contrary to the member opposite, the two mem-

bers spoke very glowingly about the office itself and the value it would have if they did what they were supposed to do in the first place, and that's passed good legislation with meaningful teeth.

Ms Shelley Martel (Nickel Belt): We debated this bill last Wednesday night and here we are again dealing with this same bill, which in effect is a bill that does virtually nothing for victims in Ontario. The shame of it is that we really should be dealing with a bill that actually does provide some rights and some justice and some equity and some fairness to victims in this province.

I can't understand why the government couldn't find the wherewithal to bring forward a bill that would do just that. You see, Bill 114 is called An Act to amend the Victims' Bill of Rights, 1995. It would leave you with the impression that somehow the 1995 bill was good and this bill was improving on it. We know that is absolutely not the case.

I want to go back to what Charles Harnick said on December 13, 1995, when he talked about Bill 23. He said, "We introduced this bill for first reading but a couple of weeks ago and the basis upon which this was introduced was the fact that this government will not accept a system that allows victims of crime to suffer twice, first at the hands of the criminal and second under a justice system that does not respond to and respect victims' needs."

He went on further to say, "This bill meets our commitments to Ontarians to bring forward a victims' bill of rights, something we promised during the last election campaign, and it'll bring, we believe, meaningful change to the way victims are treated in the criminal justice system."

The first time Bill 23 was tested, it was exposed for the fraud it is. It provides no meaningful rights to victims in this province. It provides them with no justice and no day in court. That's what Bill 23 did, and the shame of it is that the bill that follows it, Bill 114, doesn't give any more rights to victims either. We should have a new government bill that actually does something for victims and then we'd have a meaningful debate about that.

The Speaker: Response, the member for Don Valley East.

Mr Caplan: I thank the member for Niagara Centre, the member for Dufferin-Peel-Wellington-Grey, the member for Brant and the member for Nickel Belt for their comments.

The members for Niagara Centre, Nickel Belt and Brant all focused on the fact that the amendment to the so-called Victims' Bill of Rights, an act which contains no rights—the government sent their lawyers to court to claim that there were no rights, that it was only a statement of policy, that it was just noblesse oblige, if you will, the fraud that is attempting to be perpetrated to make the people of Ontario believe that in fact there are rights for victims, that the Harris government cares about victims. They're quite right.

I know the member for Dufferin-Peel-Wellington-Grey is an honourable member. I know he does care

about victims of crime; I know he does care about these matters. I would have liked to have heard him stand up and say that he would press for or would like to see an amendment to the Victims' Bill of Rights that would put some teeth in the law, that would prevent the Attorney General from sending the high-priced help to court against victims of crimes, against people trying to claim their rights. I would have preferred to hear that.

The Office for Victims of Crime is a wonderful thing. We're already doing it. I ask, what's next? Are we going to have a bill that says the sun will follow the moon or the moon will follow the sun, that we're going to keep doing what we're already doing, or is this Legislature an important place where we say to victims of crime, "We extend to you the rights to which you are entitled, and we will fight and defend and protect your rights and not fight against you when you come to try and claim them"?

The Speaker: Further debate?

Mr Kormos: Here we are on Wednesday night, 7:15. Folks watching or listening sometimes confuse these evening sessions with reruns of the daytime. I want to assure them that this is live, not particularly lively in here but it is live. I'm going to talk about this government and its history when it comes to the rights of victims.

I want to tell the parliamentary assistant that I like him and hold him in regard. I was pleased to see his appointment as parliamentary assistant to the Attorney General because, Lord knows, Attorneys General in this province for a good six years now have needed the best possible parliamentary assistants they can find. We know that the present parliamentary assistant is probably the finest of any PA, superior to his predecessors—no two ways about it—in the role of parliamentary assistant, and I know that he knows that feckless enthusiasm for this bill is probably, to date in his brief career as parliamentary assistant to the Attorney General, the most trying of the challenges he's encountered. But it's not going to be the last challenge and, trust me, by the end of the day it won't be the most trying either.

Here we've got Bill 114, a one-page bill. Much has been said and much more is going to be said over the course of the next 57 minutes and 52 seconds about the ruling by Judge Day. What concerns me is that I know that the parliamentary assistant has read it. I know that other members of the Conservative caucus have at least been told about the Day judgment in the Vanscoy and Even case. I know that. Don't expect them to read it—I understand—but I know that the parliamentary assistant has read it and I know that other members of that caucus have been told of it. I have yet to hear one of them speak about it. If one of them wants to stand up and suggest that Judge Day was wrong, incredibly wrong, well, they should. They've had plenty of opportunity and will have more as we progress on the debate on Bill 114. But as has already been pointed out, let's remember the position the government took in the litigation initiated by Ms Vanscoy and Ms Even, where Alan Young, law professor and lawyer, acted for them. In its submissions, the government lawyers were the ones who raised as a

defence that there are no rights contained in the Victims' Bill of Rights.

You see, it wasn't as if they were even prepared to go to court at the behest of the Attorney General to say, "Oh no, Judge, you don't understand the legislation. There really are rights contained here. Judge, let me show you where and how." You see, the lawyers didn't go there and say that. They said, "Judge, there are no rights in the Victims' Bill of Rights." My goodness, what had been going on? As far back as December 13, 1995, the former Attorney General, my friend—he had been my friend—was in this Legislature talking about how this Victims' Bill of Rights was a codification. It's right there. It's in the transcript. The transcripts don't lie. The Victims' Bill of Rights was a codification of the rights of victims. It's right here. Read it, Speaker, read it. The Attorney General in 1995 was bursting with pride at this brave new step on behalf of victims—a Victims' Bill of Rights—and he dismissed the concerns raised by opposition members. He dismissed them. He waved them away with some sort of regal flip of the wrist, and week after week opposition members, New Democrats and others, were in this Legislature questioning the Attorney General during question period about case after case that was being brought to our attention in our constituency offices by victims who weren't being advised of the progress of prosecutions; who weren't being advised of some very notorious plea bargains that were taking place; who weren't being permitted to participate in the process; who weren't being involved in the process of making victim impact statements in court. We raised those concerns—not speculative, not conjecture, but real people, real cases, real scenarios, real communities, real victims. We raised them with the Attorney General week after week. That's why I say to you that this so-called Victims' Bill of Rights is more noteworthy in the failure to abide by it than in any compliance with it. We talked to the Attorney General about some of the very real problems that are out there in the system that he had control over. They were making it impossible for victims to access the things that in particular section 2 purports to guarantee them.

1920

I understand when the parliamentary assistant reads from the list of what we've done in the last 12 months by virtue of the office of victims' rights advocates, I suppose. But obviously the parliamentary assistant didn't talk to the crown attorney down in my bailiwick who says, "Please, Kormos, will you get them to staff us with the victim advocate in the crown attorney's office. Please." Crown attorneys understand how important that is.

Clearly, this parliamentary assistant either hasn't talked to or refuses to believe the crown attorneys or the research that was done some couple of years ago that talked about the incredible caseloads being carried by crown attorneys in this province. Crown attorneys on a daily basis in any number of jurisdictions are loaded up at 8 am with a pile of files, being those cases that they have to prosecute that day. They simply don't have the

time, the resources, the opportunity to interview witnesses, never mind victims, to prepare adequately for trial and to ensure that the prosecutions are the fullest prosecutions possible.

In fact, there is as much as a quota system in this Ministry of Attorney General for guilty pleas, which means a quota system for plea bargaining, because crown attorneys' offices across this province have to demonstrate to the Ministry of the Attorney General a particular clearance rate; in other words, how many cases got resolved. Do you understand what I'm saying? What that means is that they've got to plea bargain away enough of their files to meet that particular clearance rate that's set by the Ministry of the Attorney General. What has that got to do with victims' rights, with the safety of the community or with the fair administration of the criminal justice system? Nothing. These same crown attorneys acknowledged, reported in a survey, again, some time ago, approximately two years ago—we talked about it in the Legislature—that there's virtually no prep time for bail hearings. The proof is in the pudding.

Gillian Hadley was slaughtered by a spouse who was at large on not just one but on two judicial release orders, the first one issued by the officer in charge at the police station; the second one, we read, by a justice of the peace. I am more than prepared to imply and ask you to infer that an overburdened criminal justice system with inadequate resources, too few crown attorneys, too few justices of the peace—and, quite frankly, judges—may well have been in no small way as responsible for the death of Gillian Hadley as her murderer himself. We saw it. We saw it this past summer: week after week of dockets—charges in provincial offences court in Hamilton and in Toronto simply tossed out, dismissed, bingo, "Home you go, offender," because there were inadequate justices of the peace to sit in those courts.

It was the New Democratic Party that released the memos that exposed this from the senior justice of the peace, that indicated clearly that huge numbers of charges were going to be tossed out of court, literally abandoned, because of the dramatic shortage of justices of the peace. We raised it publicly because of our concern about the public interest that was being violated, and we gave the Attorney General a chance to rectify the situation, to move resources in. We gave the Attorney General that opportunity, and with disdain he waved us away. Here's an Attorney General, here's a government, here's a Premier who talk a big game when it comes to law and order, when it comes to safe communities, but when it comes down to delivering, these guys have got short arms and deep pockets, let me tell you. The resources become scarcer and scarcer. Oh, there's enough to dish out the \$200 mailbox cheque, one of the phoniest and most cynical pieces of attempted blackmail one has ever witnessed.

The reality of Ontario has changed in the course of the last five years. We understand there's no longer a deep recession in this province; there are huge new revenues. There are financial resources there to allocate to, among

other things, policing and the criminal justice system, but the reality is that there are fewer cops per capita in Ontario today than there were in 1994. We call upon our police to do the impossible, yet we don't give them the tools, or if they do get tools, they get broken tools. We don't give them the resources to do what they very much want to be able to do, to keep our communities safe, to ensure that offenders are apprehended promptly and dealt with appropriately within the criminal justice system. This government is putting handcuffs on our cops instead of on criminals.

Some time ago I tabled for first reading in this House a bill which would permit public access to parole hearings, something the current law does not provide for in the province of Ontario. It not only would permit public access, but it would give interested parties, to wit victims, the right to participate, the right to hire counsel and to participate in the parole process. Yet this government once again dismisses the proposition and would keep its parole hearings, the early release of criminals, a process to be determined in secrecy, in darkness and behind closed doors.

1930

One of the interesting things about the bill, Speaker—take a look at it. It's only one page and, as has been noted, the office has as its task the mere advising of the Attorney General, among other things, on the application of the principles enunciated in section 2 of the Victims' Bill of Rights. The Premier of Ontario, Mike Harris, promised—promise made, promise broken—to rectify the dramatic deficiencies in the 1995 Victims' Bill of Rights with a bill of rights that in fact was a bill of rights, with the teeth and the enforceability that a bill of rights has got to have if it's going to be a bill of rights. Otherwise, it isn't a bill of rights; it's a bill of nothing. The Premier promised. He promised more than once. He promised in front of huge audiences. Promise made, promise broken.

What do we get? We get Bill 114, in itself totally unnecessary, because the parliamentary assistant—and in fact, we saw the annual report. Didn't we see that? Of course we saw the annual report of this so-called office. There already is an office of victims' rights. What's going on here? What's going on? There already is an office of victims' rights. I saw the report just a little while ago. So what do you need a bill to create an office of victims' rights for if you already have an office of victims' rights? It's not just weird, it's wacko.

More important, this bill confirms that that office will never have the power of a watchdog, will never have the authority of an auditor, will never even really have a true and independent role as an advocate, because if any of those powers might have been, as they could have been, entertained by that office now, they'll be prohibited from entertaining them or utilizing them come the passage of Bill 114, because Bill 114 makes it very, very clear that their role is merely advisory; their job is merely to advise.

We won't have the benefit of an office of victims' rights that is prepared to assess this government's performance when it comes to victims' rights, that has the power to present a report that could be tabled with this Legislature that permits members of this assembly and members of the public to be made aware of and to be exposed to the failure of this government to protect victims or, quite frankly in the vast majority of cases, if not all of them, to display less than a tinker's damn about those same rights.

Understand what Judge Day said about the Victims' Bill of Rights, the bill that Bill 114 amends, not to correct any of the serious deficiencies referred to by Judge Day. The judge said very specifically that there are no rights in the Victims' Bill of Rights. There are no rights. None. He goes on and concludes that there was never any intention. We're not talking about a typographical error here; we're not talking about some clerical mishap on the part of some poor, underpaid staffer, you know, the political staffers who work late into the night for the government members and ministers, the political staffers who advise them and counsel them and who end up—I suppose it wasn't in this government; it was Stockwell Day.

Remember Stockwell Day when he redirected the Niagara River? That's down where I come from. We know in which direction it flows. There's always been a joke in Niagara about the dumbest of tourists, how you can convince them that if they stay until 9 o'clock, they can see the falls being reversed. Stockwell Day fell for that one, obviously, because he had the falls travelling south. Tell that to the people at Sir Adam Beck—yikes. Would they ever love to realize, heck, they've got the generator on the wrong side—turbines going in the wrong direction.

But what does Day do? I'm talking about the poor minions, the people who work in the backrooms and who gather in the back hallways of the chamber, who are allowed to look but not to speak. Stockwell Day immediately launched into an attack on one of his minions. Remember that? He wasn't prepared to say, "Oh, Stockwell Day isn't the brightest guy in the world." He wasn't prepared to say, "I was disoriented," because he was right there, he was in the falls when he said it. For Pete's sake, it's a big falls. It's not a little falls; it's a big falls. It's not hard to tell which way the water's going. You spit into the water, see which way the spittle travels and that's which way the water's going. It's going north. But he wanted to blame a minion, and he did.

When Judge Day ruled on the absolute ineffectiveness of the Victims' Bill of Rights, he didn't say that as a result of what clearly was some clerical error, or the failure of some political aide to dot an "i" or cross a "t," the bill fails. He said there never was any intention for the Victims' Bill of Rights to contain any rights. That's a pretty damning statement, because you could be somewhat excused, had it been a mere error—we'd understand—but it wasn't. It was a fraud. It was a fraud and you exploited victims in the course of perpetrating that fraud. You paraded them for the most cynical and

crassest of political purposes, and then you whacked them, and whacked them again.

Judge Day goes on. He refers to the bill as being nothing more than tepid. Tepid. Pretty lacklustre legislation, isn't it, Parliamentary Assistant. It's a pretty sad day when the Victims' Bill of Rights has no rights, when the emperor is exposed as having no clothes, when the Premier promises, promises, promises to rewrite the legislation, and that those rights in fact are codified and when the promise, promise, promise is broken, broken, broken.

Down where I come from, if you make a promise and then you break it, they call you something. You get a label. It would be prefaced with something like, "You're nothing but a...." That's what happens when you break a promise. If you promise to do something and you don't do it, what are you? Well, you're a promise breaker, but you're more than that. Sounds like "higher." Sounds like "fire." That's what they call them, down where I come from.

1940

The problem is that once you break a promise—I understand that sometimes you can make a commitment but, before you know it, you've got to do House duty till 8:30. My goodness, you made a promise to be somewhere. Oh my goodness, you've got to do House duty. You've got to call up and say, "Look, I've got to do House duty." Mr Levac, you've got to do House duty. That's why he's here. If he had promised somebody earlier that he'd meet them at 7:30, people would understand if he wasn't able to keep his promise, but acknowledged that he had a problem.

Mr Harris never said that about his promises to restore a victims' bill of rights to the Victims' Bill of Rights. You can't believe him any more, because if you break a promise that way once and you break a promise that way twice and you get the name that they give down where I come from, people don't believe you any more. People are suspicious about everything you say. You get a reputation as a person who doesn't keep promises. The reputation is well-earned in this instance.

The next speaker in this rotation is going to be a member of the Conservative caucus. Isn't there one of them who will stand in this Legislature and say that he or she understands what Judge Day wrote and he or she understands that Bill 114 does not even come close, that it does nothing to remedy the dramatic defects exposed by Judge Day?

Can't one Conservative member stand up and say: "By God, I'm going to stand up and be counted on behalf of victims and the rights of victims, and I'm going to join other members of this Legislature in calling upon the Premier to table for first reading a real Victims' Bill of Rights, one that will stand judicial scrutiny. We are going to call for amendments to Bill 114, because if there's going to be an Office for Victims of Crime, we are going to make sure it is an office that has real meaning and impact. It is going to be an office with teeth. It is going to be an office that has the power to advocate and has the

power to audit and has the power to supervise and, yes, expose, that it is going to be a watchdog for victims?"

Why else would you have an office of victims' rights? To create employment? Are we talking about some appointments to positions spoken of in this bill by people who have been faithful or at the very least generous financially to the Conservative Party? Is that all this is, another repository for failed Tory candidates? Is this a Red Tape Commission II? Is that what it is going to end up being? Are taxpayers going to be footing the bill for non-jobs for tired defeated Tory candidates to whom the government feels indebted and beholden? Is that what this office of victims' rights is all about?

There's nothing in this legislation to give it any of the powers and rights that an office that was really concerned about victims' rights would have if it is going to be able to do anything—with this government—about victims' rights. There is no bill of rights. What are we doing with an office of victims' rights until there's a bill of victims' rights? This is window dressing. Is this the best the government can do when it comes to some sort of apologia for its royal screw-up when it comes down to victims' rights?

Why is this government so afraid of the NDP bill that would open up parole hearings and permit access to the public, including victims, and ensure that the victim has a meaningful role to play in that parole hearing? Why is this government so frightened of that proposition? When, on the one hand, they hold themselves out to be the supporters and the fighters for victims, why was this government so frightened of NDP amendments to its sex offender registry, amendments that would have broadened the range of people who would be listed on that registry, amendments that would've made sure that youthful sex offenders are on that registry as well? Why was this government so frightened of those amendments if it says it is really interested in victims' rights?

Why is this government so frightened of the strategic use of photo radar to protect people from the carnage on very specific sections of very specific highways here in Ontario? Why is this government prepared to sacrifice victims of motor vehicle accidents when it wants to hold itself out to be the great fighter for victims' rights?

Why was this government prepared to scuttle its own Victims' Bill of Rights, the legislation itself, when Ms Even and Ms Vanscoy had to litigate to seek redress? This government was so anxious to ensure that Ms Even and Ms Vanscoy—do you recall who these women are Speaker?—I regret to have to recite some of the facts around their tragedies, but I will.

Ms Linda Even—you'll recall it because I raised it many times with the Attorney General—was stabbed again and again by a murderous partner. The blood flowed freely. The knife wounds were deep and ragged. Ms Even's attacker was allowed to plead down to a lesser charge rather than being required to face trial on the attempted murder that he had been charged with. Ms Even wasn't consulted. Ms Even wasn't advised. Ms

Even didn't have an opportunity to participate in the decision to let this butcher plead down.

Ms Vanscoy's daughter, her pretty teenage daughter, was shot dead through the head by a punk with a gun. That murderer was allowed to plead down rather than face and be tried on the charge of murder that he had been charged with. Ms Vanscoy was not consulted. Ms Vanscoy was not a participant in the decision. Ms Vanscoy was kept out in the dark.

Could one not expect either of these women to have thought that the provisions of section 2 of Mike Harris's Victims' Bill of Rights entitled them to some of those things that they were denied? So they litigated. They sued the government. They said, "We were denied our rights and we want a court to rule that." This government, instead of even acknowledging that they had rights, said, "No, you don't have any rights." The government's own lawyer says, "No, the Victims' Bill of Rights doesn't contain any rights." They folded their tents and scurried. And the Premier promised—he promised—that the Victims' Bill of Rights would be restored by virtue of new legislation that would address the dramatic absences, the dramatic vacuum, inherent in the 1995 bill.

1950

What do we get? We get promise, promise, promise, broken, broken, broken. You know what they call people who do that down where I come from? He knows exactly what they call them, because they call them the same thing in Ottawa where you come from, sir.

Mr Garry J. Guzzo (Ottawa West-Nepean): I believe so.

Mr Kormos: I think you do. I think you do believe so.

And what do we get? Bill 114, a bill to establish an office that already exists. What gives? Will the parliamentary assistant please explain? This is remarkably Stalinist in a very peculiar way. It's that sort of revisionism, you know, the airbrushing of photographs.

The government created an Office for Victims of Crime. It let that office publish an annual report, which was a pretty fluffy one, you've got to confess. Come on now, PA, it was pretty fluffy stuff. It looked more like an election pamphlet than it did a report from any sort of arm's-length office, didn't it? It was, oh, so full of praise where no praise was warranted. Remember that report?

So the government creates an Office for Victims of Crime, has it publish a report, and now introduces a bill to create an Office for Victims of Crime. Huh? Will a government member please stand in short order and explain any sense or any logic to that?

You see, the office as it was created didn't have its powers fettered, controlled, chained, handcuffed, but it sure does once Bill 114 is passed. Take note. Be very, very careful about what you're voting on here, friends, because Bill 114 makes it very clear that the Office for Victims of Crime will never be anything more and will never have a function other than that of a mere advisory role. That means that it's good for diddly-squat.

It doesn't have the power to investigate. It doesn't have the power to inquire. It doesn't have the power to

advocate. It doesn't have the power to audit. It doesn't have the power to expose this government's hypocrisy around victims' rights. It doesn't have the power to expose this government's betrayal of victims. It doesn't have the power to investigate and talk about the inadequate resources in our criminal justice system that are resulting in plea bargains by quota, where crown attorneys' offices have to plea bargain and let people plead down so they can get their quota of cases resolved. That's what's happening.

This bill guarantees that this Office for Victims of Crime will not have the opportunity to speak up and point out to the people of this province that there are fewer cops per capita on the street today than there were in 1994, that response times in communities like Niagara have been driven to dangerously high levels. I want you to understand what I mean by response time. It's the time that elapses from when a victim makes a phone call to the police, a 911 call, and when the police arrive. You see, down in Niagara—and I tell you, police officers are as concerned about it as anybody else. As a matter of fact, police officers have been on the leading edge of generating concern about the understaffing, the under-resourcing of police. This government cares about victims, yet it's got our cops doing fundraising by virtue of option four exercises?

This government says it cares about victims and the safety of communities, when next it'll have our cops running raffles and bake sales to buy guns and cars? This government cares far, far more about its rich friends, its corporate buddies that it ever has, ever will about victims of crime or about safer communities.

We know how to build safer communities. We're prepared to engage in some of the dialogue. Every time this government has presented a bill, we here in the New Democratic Party have tried, and quite frankly across to the opposition, to try to make sure that bill better reflects the concern or the problem it purports to address.

We wanted to get really tough on suspended drunk drivers in terms of seizing their vehicles. The New Democratic Party pushed for amendments to get really tough on suspended drunk drivers. This government said, "No, you're being too tough on suspended drunk drivers." I say you can't be tough enough. We wanted to get tough on criminals applying for parole to the point where we wanted the public to have access to those parole hearings and we wanted victims to have a right to participate as parties to those hearings. Oh, but this government will have none of that.

We want to get tough on imitation guns. You've already heard what I've said in some brief responses to this government about their imitation gun bill/Bill 64/Bill 11—

Interjection.

Mr Kormos: Mike Farnan, to be fair. We want them to get tough. If imitation guns are a problem out there, if they're putting police at risk and the community at risk, then deal with it. We say ban the things. This government says, "No, we'll only sell them to people over 18." Think

about it for a minute. A person over 18 goes and buys an imitation gun. That person is either going to play with it, use it in the commission of an offence or give it to a kid. How does restricting the purchase to people over 18 keep these dangerous imitation guns out of the hands of kids?

There were two incidents in Canada this past weekend, hot on the heels of that well-reported tragedy down in California, where a celebrity in the movie industry is at a Halloween party brandishing an imitation gun as part of his costume. The police do what the cops are trained to do, what we expect them to do, and respond with force, having every reason to believe it's a real gun. Citizen dead.

Victoria, BC: you might have seen the report by Canadian Press. It's another Halloween scenario. A 24-year-old Chapters employee is dressed, for reasons of his own, in a Star Wars character costume. As he's walking down the street with an imitation gun in a holster, it doesn't take long for citizenry to do what good citizens do and call 911. In New York minute the SWAT team is there, guns drawn, and you almost have another tragedy. In Kitchener, Waterloo, it ended up being a toy gun, but Constable Don Scott didn't know that when he was confronted by an armed man in the dark of night. Reported Wednesday, November 1. That's today. Another imitation gun.

What the heck are the Tories doing, saying, "We'll only sell them to people over 18"? Once again, people over 18 are either going to play with them, use them to commit crimes or they're going to give them to kids, and in none of those scenarios is the concern that police talk about, that fair-minded people and citizens talk about, being addressed. So we say to this government: get tough. But oh, no, they don't want to. They want to talk tough, but they don't want to deliver the goods.

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I know most of those people over there. A couple of them, I like. A few of them are very bright, fair-minded people. We need them to speak up. We need them to stop playing games with people's lives and community safety. Quite frankly, I am not interested in seeing Tories campaign for Stockwell Day here in the Legislature of Ontario with phony bits of law-and-order legislation that have no impact. That's what it's all about, isn't it?

Listen to what's been going on in the House over the last couple of weeks. Tough talk. Restrict the sale of imitation guns to people over 18. That's a real tough one, guys. You're really going to deal with the problem there. Oh man, we're impressed. Please. Come on. Any kid can see through that. What an embarrassment.

We're going to debate that bill on its own in a little while. We started debating it this afternoon. Because as much as that's an embarrassment—the Attorney General in 1995, when speaking to second reading of his Victims' Bill of Rights, the one that has been exposed as being zero, the one Mike Harris promised to fix—a promise made, a promise broken—that Attorney General of 1995, one Mr Harnick—I recall him—said this bill will bring

"meaningful change to the way victims are treated in the criminal justice system."

Well, it didn't and opposition critics explained—at times patiently, at other times, impatiently—that it wouldn't. Victims like Karen Vanscoy and Linda Even, God bless them both, made great sacrifices in their personal lives to make it very clear how little that bill changed their status as victims in the province of Ontario.

We need a Victims' Bill of Rights. It's as simple as that. We need a bill of rights for victims. If we're going to have an Office for Victims of Crime, let's give them a piece of legislation that'll give them something to do. Let's make them earn their keep. Let's make an Office for Victims of Crime one that can help hold this government accountable—and subsequent governments. These people are not going to be in power forever. They're not. That I know. Whoever is the next government will be in as much need of a meaningful Office for Victims of Crime that has a Victims' Bill of Rights to enforce and apply as this government, although the case with this government is one of some great urgency.

Time is fleeting. We were talking about the fact that this government's betrayal of the criminal justice system has not only left victims dangling; it has probably resulted in far more victims than we should have had over the last five years of economic growth. Case after case tossed out of provincial offences courts. No preparation for bail hearings. Justices of the peace—have you been to some of those early morning bail courts? Have you seen what our justices of the peace are dealing with? Court dockets that are three, four and five pages long. They know they've got to get through them by the end of the day, and they have but five, 10, 15 minutes per case to make a very critical decision about whether or not a person should be released from custody, a person who may well, if inappropriately released, be back in that same court on a murder charge. Gillian Hadley's murderer was released not just once, but twice. He was released enough times to butcher her, wasn't he?

But that's what's happening, you see, because these court dockets are three, four and five pages long. Crown attorneys are under-resourced. There are too few justices of the peace. This government won't invest in more. Provincial judges in the vast majority of courts are similarly suffering incredibly high caseloads and are forced to do what I call sausage factory justice where you're just got to churn them out. Court staff, and I've talked to these court staff, are stressed and fatigued. And Nero is fiddling; Nero is playing the violin. And Nero still has the nerve, thechutzpah, to try to talk to us and to talk to the public in this province about—I mean, they've got more nerve than a toothache. It's just beyond belief, incredible, in that they purport to talk about their concern for the victim.

We've got a bill right now, Bill 117, in justice committee. The parliamentary assistant is there doing yeoman service. Again, New Democrats are on that committee, trying to make that bill better, trying to suggest amendments to the bill to make it work the way it's

supposed to work, to protect victims of domestic violence from a recurrence of that violence. But, oh, the government doesn't want to make the bill too tough. The government doesn't want to appear to be too harsh with wife beaters and wife murderers. It's incredibly frustrating to be working in that context.

Earlier today when I had one of the two-minute responses on the imitation gun promotion bill, I expressed my frustration, because we sympathize with the motive. I'm far less sympathetic to Bill 114 because, quite frankly, it's despicable, but we sympathize with the motive of the imitation gun bill. But we know how to make it work, and this government isn't interested in making it work. This government doesn't really care—it can't—about imitation guns out there on the street. This government wants to restrict their sale to people over 18. Give me a break, please. How stupid do you think we are? Come on, now. We weren't born yesterday.

Victims' rights: the new office, as compared to the old Office for Victims of Crime, will have the power to advise the use of the victims' justice fund to provide and improve services for victims of crime. So even with effectively its own money, it can't decide how to spend it; it can merely advise. And what is this government, with its revenues, doing relying upon the victims' justice fund to provide victims' services anyway? Why aren't they using general revenues and investing them where victims are going to be assisted and supported and helped and we are going to truly make communities safer?

Invest some of those resources in cops, like cops down in Niagara region, who remain understaffed and under-resourced, as they have been for over five years now, and are finding it increasingly difficult to do their difficult jobs because this government won't assist in the adequate levels of funding for policing to assure that there are enough cops with enough tools and resources, be it in Niagara or any other region of this province. This government isn't concerned enough about the new and dramatic increases in response times. Police officers can't get to where they should be when they're called via 911 in sufficient time to protect victims, to prevent the performance of crime and to apprehend offenders rapidly and ensure that they are placed in the criminal justice system in such a way that they are dealt with justly and not simply booted out by an overstressed, overworked JP the next morning doing a bail court that's piled high to the rafters.

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This government likes to talk about its specialized courts. They are there; I understand that. This government has the resources, and the people of this province are prepared to see their resources invested in similar courts across the province.

When it comes to corrections—well, I've only got three minutes left. This government wants to abandon its constitutional responsibility for corrections and rehabilitation by handing over Ontario's correctional facilities to American corporate, for-profit, Wackenhut Corrections Corp of America types of operators, where making the

dollar is the biggest motive and rehabilitation is somewhere down at the end of the line, if it's anywhere at all. I was up at the Rideau correctional centre. I spoke with the staff there. I spoke with the specialized staff who have developed five-week, 10-week and 15-week programs which have resulted in some of the most effective reductions in recidivism across North America and which are the envy of and are being emulated by institutions across North America. That's one of the correctional facilities this government wants to shut down: close the doors, move in the private operators.

The Minister of Correctional Services talks a big game about telling correctional officers they should be working harder. Oh, give me a break. We've got a Minister of Correctional Services whose background was in corporate banking, as if he knew anything about work. In the old days, crooks used to rob banks. Now they own them.

The only professionals in a private, corporate, for-profit jail are the cons themselves. This government is abdicating its responsibility in rehabilitation and corrections both at the adult and young offender levels. I've got a meeting with the parliamentary assistant here tomorrow at 10. We're going to talk about the Young Offenders Act tomorrow. I'll remind this government that it has the responsibility for youth corrections. It has perhaps the most important role to play in the whole process of the criminal justice system as it applies to young people, the correctional end of it, and it washes its hands of its responsibility to provide meaningful, appropriate, effective corrections and rehabilitation for young people, because it's prepared to sell off those facilities to the private, for-profit corporate American sector just as readily as the adult facilities.

One government member to stand up and cite Judge Day and his condemnation of the Victims' Bill of Rights and assure this Legislature that they will press their Premier to bring in a bill that establishes real rights for victims in the province of Ontario, that does what the Attorney General said the non-existent bill of rights was going to do when it was introduced and passed in 1995—one member. Parliamentary assistant, stand up and tell us that this government is prepared to back up its commitment to victims' rights by introducing a real Victims' Bill of Rights. We'll pass it if you've got the guts to introduce it.

The Acting Speaker (Mr Tony Martin): Comments and questions?

Mr Guzzo: I have to tell you that it never ceases to amaze me to listen to the comments of the member from Thorold, or now Niagara Centre.

Mr Kormos: Welland, St Catharines.

Mr Guzzo: Welland, St Catharines, Niagara Centre.

I had the pleasure of listening to this man in another life. When I was on the bench he appeared in my court on numerous occasions, and he exemplifies today the same traits he exemplified back in those days. He was a very competent lawyer, I must tell you, and one who was always interested in the welfare of his clients. But I have to tell you that he had a tendency to rewrite history,

especially when submitting comments with regard to sentencing on his clients. Here we are today as we listen to him rewrite the history books in an attempt to justify what went on in the five years leading up to the Common Sense Revolution, which has done so much to rectify the ills and the problems that were created by his predecessor, our predecessor of happy memory, one Bob Rae, now practising on Bay Street.

Mr James J. Bradley (St Catharines): Bay Street? Surely not.

Mr Guzzo: That's what I hear; that's what he tells me.

Interjection.

Mr Guzzo: No, he's certainly not working for a clinic on a corner someplace in Ottawa or Toronto with regard to poverty law, I must admit.

When I listened to the member go on about the creation of an agency which is already in place, I take supreme confidence and credit for that. That was a very wise move on the part of this government and I thank you for the compliment.

M^{me} Claudette Boyer (Ottawa-Vanier): C'est avec plaisir que j'endosse les commentaires de mon collègue de Niagara-Centre.

Really, the sole purpose of this amendment, why we are here tonight, is to create a legal basis for the Office for Victims of Crime, an office that has been up and running for the last two years. Let me tell you that I believe the effect of this bill on actual victims of crime is exactly zero. There are absolutely no new benefits coming out of the passing of this bill.

Laissez-moi vous dire qu'en ce qui concerne le crime, ce gouvernement est bien fort en paroles mais faible en gestes concrets.

This short legislation is only to amend the current Victims' Bill of Rights, 1995, by statutorily establishing the Office for Victims of Crime. Le gouvernement Harris est tout simplement en train d'introduire cet amendement afin de faire de la publicité pour sa plus récente idée que je trouve quand même inutile.

Mr Tilson: I would like to comment with respect to the remarks made by the member for Niagara Centre. I must say I do admire him when he stands up. He makes a good critic. He's a critic of this government.

Interjection.

Mr Tilson: I know; I'm getting to that part eventually. He does a good job. In the same way, of course, he did an excellent job when he criticized his own government, when they were in office.

Mr Caplan: He's consistent.

Mr Tilson: He is consistent. He was very critical of the Bob Rae government. In fact, I'll quote a page from Bob Rae's book. Mr Speaker, it is unparliamentary, but it's a quote out of the book. It referred to the member for Niagara Centre. He said—and this is unparliamentary and it's rather graphic, but that's what the former Premier said—they called him "a pain in the ass."

Interjection.

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Mr Tilson: It's true; he acknowledges that.

The Acting Speaker: You can't say that.

Mr Tilson: Mr Speaker, I will withdraw, but that was a quote out of the book.

Mr Kormos: On a point of order, Speaker: I'm sure those were Bob Rae's feelings exactly and I want this member to be able to relate them accurately to the Legislature.

Mr Tilson: I now have 30 seconds to say what I wanted to say. Obviously this side of the House has a completely different view of the state of the universe, as opposed to the member for Niagara Centre's view. This bill is a prime example of that. This bill serves the victims in a whole slew of ways that I don't think he ever contemplates. I've listed off some of them. Clearly, I'm not going to have time to refer to them again. Eventually, in my two-minute responses, I will. It refers victims to the appropriate enforcement or community service agency, it articulates suggestions from victims for legislative reform policies, and on and on. It does a whole group of things this member has never contemplated.

Mr Bradley: I enjoyed the member's remarks because what he tends to do in this debate—because he's familiar with this; he's a person from the legal profession—is he tends to expose what appears on the surface to be some very meaningful and tough legislation as less meaningful and tough than the government would like us and the people of Ontario to believe it is. He has quoted this on many occasions. I'm looking now at A Voice for Victims, from the Office for Victims of Crime, June 2000. I'm looking on page 8 of section 22. It says the following:

"In light of the above, I conclude that the Legislature did not intend for section 2(1) of the Victims' Bill of Rights to provide rights to the victims of crime. The act is a statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

That is a statement which I think carries an awful lot of weight. I think the member has mentioned it in his speeches on numerous occasions. I guess I'm asking the member to reiterate his opinion of the actual effectiveness of this legislation, whether the legislation before us really significantly advances the cause of victims in the province or whether it's out there to simply make the government look as though it's doing something meaningful for victims in this province. The member would recognize, as I think most of us do, that it requires a significant investment of funds and clout if you're to have this office have any real influence in Ontario.

The Acting Speaker: Response?

Mr Kormos: I congratulate the people who had the patience to listen to my comments during the course of an hour. The bottom line is, vote for the bill if you're inclined, but it's neither here nor there. It maintains the pathetic, miserable status quo that this government has created for victims in the province of Ontario. It doesn't address any of the concerns raised by Judge Day in the

Vanscoy-Even litigation, and it doesn't come close, it doesn't even attempt, it's billions of light years away from the Premier keeping his promise to introduce a real Victims' Bill of Rights.

The sad reality is that this government has been big on talk and, as M^{re} Boyer said, feeble in action when it comes to the rights of victims and when it comes to building safer communities here in Ontario. Make no mistake about it: there are fewer cops today per capita than there were in 1994; courts that are more stressed than they've been in over a decade; charge after charge after charge being tossed out because of inadequate resources in courts; victims being denied any meaningful participation in the criminal justice system. And Bill 114, an act to establish the Office for Victims of Crime, doesn't address it.

I did, as I indicated earlier, want to remind folks that the Legislature is sitting till 9:30, but at 10 o'clock this evening I'll be on Michael Coren's show, which is cable 18 down in Niagara. It's going to be live. There'll be a Liberal and a Conservative. I'm sure there will be heated debate around a number of issues. Coren's show, CTS network, cable 18 down in Niagara, 10 to 11:30.

The Acting Speaker: Further debate?

Mr Bart Maves (Niagara Falls): It's a pleasure for me to rise in the Legislature tonight to discuss for a period of time this amendment act. I want to note at the outset that I'll be sharing my time with the good member from Cambridge beside me, Mr Martiniuk. I might add at the outset that when we created the Office for Victims of Crime—we announced that back in the 1998 throne speech and that, like so many other things in the area of law and order, was a recommendation made by the Ontario Crime Control Commission after hearing from the public and victims' organizations. The member from Cambridge was one of the original members of the Ontario Crime Control Commission, and quite a few of the law and order pieces of legislation and a lot of the actions we've taken as a government in the field of law of order have stemmed from the member from Cambridge's commission. So he once again I think deserves recognition, not only from his constituents but from all the people of Ontario, for his service to the province on the Ontario Crime Control Commission.

Before I get too much further into debate, I want to mention Mike Van Soelen, who is the very competent issues manager for John Baird, Minister of Community and Social Services. He has his parents with him tonight, Ike and Irene Van Soelen from Guelph. I'd like to welcome them to the Legislature.

I do want to go back, because a lot of people have talked about the Victims' Bill of Rights, 1995, tonight in the Legislature and said quite a few nasty things about it. I think the important thing about the Victims' Bill of Rights, 1995—and I'm not a lawyer. There are many more lawyers, and Judge Guzzo is here tonight, and a lot of other people who can talk to some of these bills about the legal system and the history therein better than I. I'm not a lawyer but what I do know is that victims in

Ontario for many years had absolutely no status before the courts. They did not receive the respect or the recognition they deserved in the justice system. One of the fundamental things that the Victims Bill of Rights, 1995, did was to elevate the status of these victims before the courts. That was absolutely vital. And Judge Guzzo stood up and said that he was proud that this government, the first in Canada, had established an Office for Victims of Crime. He said he was proud we did that. And that's why—because no across this country had an Office for Victims of Crime, and no one in Canada had elevated the status of victims in the courts and given them the respect and recognition they deserved, which is what the Victims' Bill of Rights did.

If I look back and read from the Victims' Bill of Rights, 1995, the preamble says, "The people of Ontario believe that victims of crime, who have suffered harm and whose rights and security have been violated by crime, should be treated with compassion and fairness. The people of Ontario further believe that the justice system should operate in a manner that does not increase the suffering of victims of crime and that does not discourage victims of crime from participating in the justice process." It's a wonderful preamble, and the intent of the legislation is, after having so many experiences, year after year after year, of victims of crime being revictimized through the court process—this preamble in this Victims' Bill of Rights, 1995, was essential—that we finally give them the respect and recognition they deserve.

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This act goes on to say, "Victims should be treated with courtesy, compassion and respect for their personal dignity and privacy by justice system officials." Never before had the government given any type of indication that that was the expectation in Ontario or any other province in this country. That was an important thing to have in legislation. Section 2 goes on to say, "Victims should have access to information about, the services and remedies available to victims of crime, ... the protection available to victims to prevent unlawful intimidation, the progress of investigations that relate to the crime, their right under the Criminal Code (Canada) to make representations to the court by way of a victim impact statement," and a variety of other measures. These were the things that this bill, in 1995, said that victims should have access to. Again, that had not been within our criminal justice system at all before—until 1995. That's why it was vital that we passed that act.

Members opposite have said, "You already have an Office for Victims of Crime. Why this legislation?" This legislation is enshrining that office and giving it some roles and responsibilities. The Victims' Bill of Rights is new territory. This office is set up to advise the government in a variety of areas, so that as we move forward with our Victims' Bill of Rights and as we move forward with looking after our victims in the justice system we do it intelligently. We don't want to make changes to legislation, we don't want to make changes to adjust the

system that actually set us backwards. We want to make sure that all the changes we make are sensitive, intelligent and don't move us backwards.

While I'm on that, I do want to say, as I read earlier, that it talked about treating victims of crime with compassion. The member for St Catharines, in one of his two-minute hits, said, "This bill sounds tough." This bill isn't about being tough; this bill is about being compassionate. Having an Office for Victims of Crime is indeed compassionate, and that's what this is all about.

The proposed role for the permanent Office for Victims of Crime will have responsibility to advise the government on a variety of things: ways to ensure that the principles set out in the Victims' Bill of Rights are respected by consulting and liaising with victims. So there will be a permanent office with a budget, I believe, of over a million dollars, and their responsibility is to liaise with victims who have been in the justice system and then, in turn, to continue to work with the government and advise the government on victims' rights within the justice system and things we can do in the future to improve the way victims are treated in the justice system. That's an important function that we have to notice.

Furthermore, the Office for Victims of Crime has responsibility to advise the government on developing provincial standards of service delivery to victims by preparing options and a plan to develop and maintain these standards; the use of the victims' justice fund by identifying community priorities for funding; research and education on victimization and its prevention by establishing a resource centre and on-line library; providing advice on the delivery of training for victims, service providers and justice officials, and legislative and policy issues relevant to victims and the prevention of victimization.

This office will continue to liaise with victims of crime, to talk with victims of crime and find out about their experiences with the justice system and then to advise the government on future legislative and policy areas so that we, as I said, can continue to look after victims of crime as they move through our justice system. These are important functions and they are vital if we are going to move forward intelligently and, for every step forward, not take two back. Members opposite can make light of this, but I think it's a responsible approach to looking at future legislation and policy changes in our justice system for victims of crime.

I also want to talk about section 4 in the 1995 act, which goes on to talk about things that should happen for victims of crime.

"If the person accused of a prescribed crime is found unfit to stand trial or is found not criminally responsible on account of mental disorder, the victim should, if he or she so requests, be notified of,

"i. any hearing held with respect to the accused by the review board ...

"ii. any order of the review board directing absolute or conditional discharge of the accused, and

"iii. any escape of the accused from custody."

Section 5 says "Victims of sexual assault should, if the victim so requests, be interviewed during the investigation of the crime only by police officers and officials of the same gender as the victim." Section 6 says "A victim's property that is in the custody of justice system officials should be returned promptly to the victim, where the property is no longer needed for the purposes of the justice system."

Those are all important principles, and a lot of people in Ontario would listen to those things and say, "Those are common sense. Why doesn't the justice system just do that? Why hasn't the justice system done these things for years?" Well, it just plain and simple hasn't. Nowhere have these principles and this common sense and these issues really of compassion for victims been articulated before in a piece of legislation as they have been in the Victims' Bill of Rights. As we move forward with the Victims' Bill of Rights and legislation policy surrounding it, the Office for Victims of Crime is going to guide the government as we move forward so that, as I said, we don't take one step forward and two back.

The Victims' Bill of Rights, 1995, was an important piece of legislation, still is an important guiding piece of legislation, and tonight Bill 114, the bill we debate, is going to help us and help victims of crime in the province of Ontario as we move forward on this issue.

I want to thank you, Speaker, and everyone for allowing me the time to speak to this. I'd like to turn the floor over and, not leaving as much time as I promised him, to the aforementioned Ontario crime commissioner, who deserves so much applause and thanks from the people of Ontario and the people of his riding of Cambridge for all he has done for them in the field of law and order.

Mr Gerry Martiniuk (Cambridge): I have a Liberal tie on. I had to leave my raincoat at home tonight as it wasn't raining. It was, in fact, a beautiful day.

It's my pleasure to address Bill 114 today and compliment my friend from—I guess it's Niagara Centre.

Mr Maves: Niagara Falls.

Mr Martiniuk: Niagara Falls. Sorry.

Mr Maves: Niagara Centre is Peter.

Mr Martiniuk: Yes, that's Peter.

My friend from Niagara and I had the pleasure on the crime commission—we visited over 70 locations around the province, and Mr Maves was kind enough to invite us down, along with—I should say on another occasion we also attended in the Niagara region, at the invitation of Mr Hudak, now the Minister of Northern Affairs. They both showed their concern and voiced the concerns of their constituents that, one, they did not feel safe and they were not safe. I recall attending both those forums and that was the message we had. I again compliment my colleague and friend from Niagara Falls for recognizing the concerns of his constituents.

When we discuss this bill, we really have to go back a long way. Perhaps I'm not totally accurate in history, but 1066 always stands out in my mind as a point where English history began in many ways. Our friend William the Conqueror decided he needed more land, so he

brought a few Normans over and conquered what we now know as the United Kingdom. Up to that time the resolution of a dispute or differences between neighbours in that locality of the world was, on many occasions, settled between the parties. Trial by battle comes to mind. That proved a diminishing return for many individuals, who would end up being killed after a dispute rather than getting the dispute resolved.

After 1066, the common law courts, the king's courts: rather than parties resolving their disputes and differences between themselves, the king in fact sent an individual, a judge, a magistrate, to the locality to finally resolve the difference between the parties, not necessarily to their satisfaction but by peaceful means.

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That's OK except when you get to certain serious matters which are not merely a difference of opinion between two parties but in fact are something that the society states is not to be tolerated within the society. From the king's courts arose the concept that where an act is done that harms other people and society deems that act to be grievous and against the public interest, we no longer have a dispute between two individuals or two groups. We now have a dispute between a state, a king, and an individual, the accused. That accused has performed an act which society says should not be performed, and it isn't the victim who comes before the court, it is the king who comes before the court in front of a magistrate to ask for justice to be done to the state, not to the victim.

That's important, because a victim might have another way of resolving the problem and, certainly in many cases, through their emotional distress and depending on the crime, it would be an emotional rather than a reasoned sentence or punishment. That's a very important, fundamental rule of the English common law which we have adopted in Canada. It is in fact a contest—you could put it that way—between the king, or the queen in our case at the present time, and the accused. Victims played little or no part other than that in many cases they were victims.

When I was a young practising lawyer, I noted in the few times I attended in criminal court that the victim in many cases was treated shabbily. It was not an intentional scheme to treat the victim shabbily; it was simply that they were just another witness and it was a busy court and everyone would seem to be preoccupied with the aggrieved crown and the accused's rights. The victim somehow got lost in the shuffle and that was unfortunate and I noted that, but as a lawyer I sort of accepted it because I understood the historical reasons for its being.

What happened? In 1985 a new government was elected. It was a minority government, I believe, and I would assume that Mr Peterson sat down on one side of the table and Mr Rae sat on the other, and maybe Mr Peterson was accompanied by Mr Bradley or some other member of his government and Mr Rae could have been accompanied by Mr Kormos, the member for Niagara Centre, and they came up with a deal that would permit a

minority government to govern in 1985. You know, they might have discussed victims' rights and said, "Maybe victims in our society are being treated shabbily. We have to bring them to the forefront. We have to take victims and treat them as persons and not just as witnesses in the case." They may have discussed it, but they governed for two years and absolutely nothing was done, not one thing. Their intent? I really don't know what was said. All I can do is point at their actions. It's really important, when we deal with matters, to look at the actions, not at what people say.

Then in 1987 to 1990 the opposition had full authority. They could have done anything. I don't know what conversations took place, but again nothing, absolutely nothing was done for the victims. Then we had the Kormos-Rae government come to power in 1990. They may have discussed, "Let's do something for the victims. Let's bring them to the forefront." But you know, they had five years of talks and they did absolutely nothing. I'm so honoured to be with a government that has finally recognized victims' rights.

The Acting Speaker: Comments or questions?

Mr Steve Peters (Elgin-Middlesex-London): I'm pleased to respond to the comments of the member for Niagara Falls and the member for Cambridge. The member talks about looking at actions and how proud he is to be part of a government that is doing things for victims' rights. Let's look at some examples of where you're not doing anything for victims of crime in this province.

Tell me what you've done to the funding for second-stage housing. You've continued to fund the initial shelters, but the second-stage housing, where's the funding gone? It's gone.

Let's look at some other areas where there's inaction by this government.

Interjections.

Mr Peters: It's obvious they don't like to hear the truth.

The victims' services unit funding from 1997-98 to 1999-2000—down; the victim support line funding from 1997-98 to 2000—down; the funding for sexual assault, rape crisis centres—down. You look at a variety of other areas where they haven't increased funding, where the funding has stayed in place, but these are for areas of victims of crime.

I would just love for a member on the opposite side to take up a case I've raised on two occasions within this Legislature, and that's the family of Brian Crocker, who's a victim of crime in this province, whose assailant has been ordered by the criminal review board to be moved from the St Thomas Psychiatric Hospital to another facility. Has this government acted on what the criminal review board has said? No, they haven't. The gentleman responsible for this crime lives less than two kilometres away from where the crime took place. Has this government acted to do anything to help this victim of crime? You talk about not allowing victims to be

victimized twice. Well, the Crocker family has been victimized twice by the actions of the Harris government.

Mr Tilson: I'd like to comment on the remarks made by the members from Niagara Falls and Cambridge, in particular the member from Cambridge, whom I have followed as parliamentary assistant to the Attorney General, and he's certainly completed an outstanding role in that office. It is interesting that years ago we actually went to the same high school together. He's much older than I am, of course.

I will say that both members have expressed the intent of this bill, the philosophy of where we're going in this bill, and have clarified some of the issues that have been raised by the opposition. They have also pointed out clearly what the opposition has done when they got into office, which was nothing.

This office has done a number of things since its original inception. One of the things it did was to go outside the normal practice and specifically seek victims' crimes and justice professionals with victims' experience, which really breathed life into the office. They had people working in the office such as Sharon Rosenfeldt, Debbie Mahaffy, Scott Newark, Franco Fragomeni, Downa Spears, Stu Auty, Nazlin Daya, Detective Sergeant John Muise, Rick Cunningham, Inspector Terry Nicholls, Therese McQuaig, and there are many others who helped this office since its inception. It's this unique nature, as well as the other items that have been referred to by the two government members, of this office that we have now recognized and that will now be enshrined by Bill 114.

2050

Mr Caplan: It was a couple of days ago that my colleague from Scarborough-Agincourt proposed to the government, to the ministers, to the backbenchers, that when they want to try to play the blame game and it's anybody else's problem, they refer to the numbers. I would ask the member for Dufferin-Peel-Wellington-Grey, when he's going through that, to just say "number 2(a)," which is "the previous Liberal government," or "number 3," which is "the dreaded NDP socialist government," or "number 4," which is "the awful special interest groups," because then we would know what he's talking about.

You hear this sorry refrain from members opposite, "In an evolving justice system, you did nothing about this." All members of this Legislature supported the Victims' Bill of Rights, but it was only the Harris government that went ahead and sent the high-priced legal help to court when victims tried to claim their rights under their so-called bill of rights, high-priced help arguing on behalf of the Harris government, on behalf of the Attorney General, on behalf of the cabinet and each and every member of that government, that there are no rights contained in the Victims' Bill of Rights and it is merely a policy statement.

So give us a break when you say you've done something. All you've done is try to lead people to believe that they have rights when in fact you know, and have argued

in court, that there are none. Say, on the one hand, one thing and do something else: that is the Conservative way; that is the Tory way; that is the way of Mike Harris. You say something but you certainly don't mean it. You try to lead people to believe something that is certainly not the truth, when you're going to stand up in court and say, "You have no rights. We don't care about you. We're going to send our high-priced legal help if you ever try to claim that rights." It is a shameful record of this government and Mr Harris and the Attorney General.

Mr Bradley: I found the remarks to be very interesting. I think we would be more comfortable if we felt there were the resources there to deal with what the piece of legislation intends. I too read the Justice Day remarks, and I was quite surprised, because I was somewhat enthusiastic about it when the bill was first introduced in 1995. I remember that the then Attorney General came to St Catharines and there was a nice little victims' rights ceremony. I was quite impressed and wanted to be supportive of it on that occasion.

Then I got to reading the report on victims' services in Ontario, *A Voice for Victims*, and Justice Day's remarks, and I was quite surprised. I'm quite sincere when I say this. I was under the impression that there were some teeth in the legislation you passed. The member for Scarborough Southwest told me that himself, I'm sure, and then I read that section which said:

"Finally, if there is any doubt remaining, the exculpatory language of s.2(5) specifically provides that no new cause of action or appeal would arise from any breach of the principles enunciated in s.2(1). This clearly and unequivocally makes the point that the Legislature did not intend for s.2(1) to provide any substantive statutory rights to victims of crime."

I was surprised by that. I thought there were rights contained within that legislation.

I hope we can build on that. I understand this legislation doesn't, but perhaps a future bill will build upon it, because I don't think there's a person in this Legislature who doesn't have a great deal of compassion and concern for victims in our province.

The Acting Speaker: Response?

Mr Maves: I want to thank the member from Dufferin-Peel-Wellington-Grey for his comments, the member from Cambridge for sharing his time with me, and the member from St Catharines for his comments, the first member I've seen so far on the opposite side recognizing that one of the roles of this office is to provide advice on future legislation and policy changes. With his comments he just stated that, and that's the first time I've heard that recognition from any of the members opposite. They finally have got that. I'm saddened by some of the comments made by the member from Elgin-Middlesex-London and the member from Don Valley East, but I thank them for taking the time to make some comments.

In wrapping up, I could talk about the 59 additional crown attorneys who have been hired by this government to interview and prepare victims and witnesses, the 1,000

new police officers we've put on the streets, and the passage of the Victims' Bill of Rights. We've created the most comprehensive domestic violence court program in the country and have committed an additional \$10 million to its expansion. I could talk about all those things and all the other resources that this government has put into this system that help victims of crime, but rather than my going into that litany of things, I would rather let the final words I use be the words from Steve Sullivan, who happens to be the president and CEO of the Canadian Resource Centre for Victims of Crime. Mr Sullivan said:

"Creating a permanent Office for Victims of Crime is an important step in ensuring that the needs of victims will be articulated to government and that the right steps are taken to ensure that those needs are being met. I commend the government for its ongoing support for victims of crime in Ontario."

The member from Dufferin-Peel-Wellington-Grey talked about a variety of other people who are victims of crime who have supported the actions of this government and continue to support them, and I'll let their words be my final words for this evening.

The Acting Speaker: Further debate?

Mr Levac: Mr Speaker, I'll be sharing my time with the member from Ottawa-Vanier.

I guess there are two different emotions I feel on entering the debate. One is the sadness I feel that we have to actually sit down and debate this type of issue. I know that over the years different governments that have taken their places on that side have been dealing with this issue all along, just as we have been dealing with poverty and all the other social issues that require us as legislators to dedicate some very important time and effort and legislation to try to improve the situation we're faced with in terms of victims.

In this case, Bill 114, *An Act to amend the Victims' Bill of Rights, 1995*, by Mr Flaherty, the Attorney General, brings us to an important point we have to start to talk about, and that is the value of this legislation. Members on the opposite side have been using words such as, "We're going to enshrine things, advise. We're going to try to take a single step forward and make sure we don't get too radical and make sure we don't take steps backward."

I would think that a valid point to make if it weren't such a serious issue. It would have a devastating effect on our society if we were to allow any of the victims not to have a voice and not to be able to count on the government to bring to the table the important issues of the day. For any member on the other side—or even this side for that matter—to indicate that any peripheral issue is not important to discuss and talk about, such as second-stage housing or the decline in the amount of money that's being invested in various services across our province, is turning a blind eye, because we have to talk about some of the peripheral issues involved in this issue because they have a very large impact on how this organization is going to be seen and is going to see the rest of the province.

In the report *A Voice for Victims*, they didn't sit back and say, "There's only one area we're going to look at." They made it very clear that they were looking at all the different provisions that are offered in our province to make this a better way to look at how we treat our victims.

One of the things I want to bring to the attention of the House is on page 33 in reference to the Victims' Bill of Rights: "This statute does not create legally enforceable rights for victims of crime nor legally enforceable obligations on justice officials. This view was recently confirmed by Mr Justice Day" in his findings. I don't want to repeat them, but it bears hearing that we have to understand that when we are making these effects, all of the different issues that are surrounding us when we talk specifically about victims' rights are all of the issues that were mentioned by this side and rebuked by the members on that side.

They were trying to say, "Don't let us talk about housing, don't let us talk about the decline in the amount of money that's being put into these other services—sexual assault. All of these people in the different areas that are peripheral to this particular bill are victims. We have to understand that and make sure that collectively, when we make these judgments in these other areas, we're affecting the victims of our province.

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I want to make some general points about this. The Office for Victims of Crime was established in 1998. We already had it up and running. In June 2000, the Office for Victims of Crime published the report, as I said, but it touched on areas that the member on the other side wants to take credit for: thousands of new cops. That number hasn't been met yet.

The other issue I want to bring to the attention of the other side is that the victim report has indicated very clearly that any activity that takes place has to include the police. If we have fewer police on the street per capita, that means their jobs are packed. Since 1995, we have 500 fewer police in Toronto alone, and their needs are going to be doubled and tripled in a very short time; I think it's about three years. So we're not looking at thousands of cops that we need; we're looking at a problem that is right across this province. We're going to need thousands and thousands of police officers on the street. This government has continually brought up, since 1995 and since I've been here, "We've put 1,000 cops on the street." They haven't made that yet. It hasn't even been met yet.

Given that information, I want to challenge the government on that side to start looking at some of the options that were provided to them by this side of the House, by both parties. We continually offer you this.

The one thing they want to avoid talking about is Justice Day's comment about putting teeth to this. Let's take a look at what this government is now taking credit for. We like the fuzzy, nice words out there. We're going to make people feel good, but the reality is that you can't put Poli-grip on this and say that's teeth. The concept that

you can glue this together with nice intentions and nice thoughts is not good enough. It really is not good enough to say, "Wait for the legislation somewhere down the line. We'll introduce something that will eventually put some teeth in this legislation and make things better."

You want to make it better right away by hiring more cops and stop saying that you've hired thousands of new cops. You haven't done it. There are not very many cops you've hired compared to the number who are leaving the profession. There are 500 fewer in the great city of Toronto than in 1995, and they need cops more than anybody else. We've got to have them here.

What is the plan? I haven't heard a plan from the Solicitor General. I've challenged the Solicitor General to give us the plan for the 1,000 new cops, to show us that it's met. It's not met; that's the problem. Given all the things that have been pointed out by this side of the House that need to be done for the victims in Ontario, they come with this bill, Bill 114, An Act to amend the Victims' Bill of Rights. What they're trying to say to us on this side is, "We're simply enshrining that to make sure that the Office for Victims of Crime is officially there," that what we're talking about is there. I'm puzzled by this because it's already there and it's been operating since 1998, but it still hasn't got the teeth that Mr Harris said he was going to give. There are no teeth to this. Nothing. I dare to say that the Poli-grip I mentioned earlier is missing from this particular piece of legislation. The Poli-grip comes in the nice words that are being used about what was in the bill in the first place. Does it help the victims? It's yet to be seen.

The Tory government has refused to join the fight that the Liberals, under Dalton McGuinty, have offered, and that was to extend testing to all victims who suspect they have been drugged or raped. I think they are called the date rape drugs. Currently only victims who decide to get the police involved are able to determine whether they have been drugged or not. This happens less than 10% of the time.

We've got another initiative that I'd like to refer to, and that is an offer to the government to help us move on with victims. The member from St Paul's offered us this legislation: a five-point plan to curb gun violence in Ontario and to recoup its costs. The five-point plan calls for:

- Regulating the sale of phony guns. To the credit of the member from St Paul's, the Solicitor General picked up on the idea, and we congratulate him for that.

- Commencement of litigation against gun manufacturers and distributors in order to recoup the health costs that are lost to gunshot victims.

- Pass legislation requiring trigger locks to be installed on all new guns sold in Ontario.

- Repeal the regulation permitting 12-year-olds to use guns. The members on the other side are very fond of disagreeing with the federal government. In this case, they say, "Because the federal government did this, we're just catching up to them." They can't have it both ways. That's called "flip" and the other side's called "flop."

—Commencement of a guns-for-goods program in Ontario.

The Ontario Liberal Party has called on the Attorney General to beef up Ontario's hate crime units by doubling the number of employees for Toronto's hate crime unit. A Liberal government has already called for extending the time in which all the benefits must be used, such as each victim may use their benefit on their own timeline and when it's most needed. Extend coverage for the benefit to include families of the Grandview survivors. Alternatively, transfer all outstanding unused amounts of the counselling benefit to coverage under OHIP.

There are many areas I could probably move into in terms of the suggestions. They are going to be offered to the government in the spirit in which they are intended, and that is to enter into the dialogue that simply says to the members on the other side, "You don't have a monopoly on the ideas that are necessary for victims; there are members on this side who have offered concrete solutions, concrete areas that could improve this legislation." Take away the Poli-grip and add actual teeth to this to make sure that all members of Ontario, when there is a crime going on and you are victimized, have compassion and understand that and will work to their fullest in this House, all of us in this House, to ensure that the people of Ontario are taken care of in the short term and in the long term.

Mrs Boyer: Tonight, I wish to share some concerns I have about the Victims' Bill of Rights Amendment Act. I can't help but be saddened by the fact that this government is playing politics with the lives of Ontario's women victims of violence. My leader, Dalton McGuinty, has said numerous times in the past that this government is more concerned with its image than it is with its policies. I am saddened because I fear this bill will provide false hope to the many women around this province who suffer from domestic violence. I am also saddened because there are many things that this government can do to help these women. Instead, it chooses to work on public relations rather than on sound public policy.

Le gouvernement Harris est tout simplement en train d'introduire cet amendement au projet de loi afin de faire de la publicité pour sa plus récente idée. Vraiment, si la cause n'était pas si sérieuse, les actions de ce gouvernement approcheraient la comédie, mais ce n'est pas drôle et ce n'est pas une comédie. Cette idée de réannoncer la création de l'Office des affaires des victimes d'actes criminels est complètement insultante pour ceux et celles qui souffrent de violence domestique. Cet office existe depuis deux ans et cet amendement au projet de loi n'est plus qu'une annonce recyclée pour essayer de démontrer aux Ontariens et aux Ontariennes que ce gouvernement fait vraiment quelque chose : pose des gestes pour aider aux victimes de la violence. Bien, laissez-moi vous expliquer ce que le mot "aider" semble signifier pour ce gouvernement.

Let me explain to everyone what the word "help" seems to mean to this government. Dalton McGuinty and

the Liberal caucus urge the government to intervene in the case before the BC Court of Appeal which sought to ban child pornography, but this government decided to help only after much prodding by the Liberal caucus. Is this what the Harris government calls "help?"

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Dalton McGuinty and the Liberal caucus have urged the government to join the fight against date rape drugs. We, on this side of the Legislature, believe that young women who suspect they've been drugged and raped should be allowed to be tested. The Harris government, however, believes that only those who contact the police should be allowed these tests, yet less than 10% of these women contact the police. This means that only one out of every 10 young women who fear they may have been drugged and raped is being tested. This government talks endlessly about eliminating red tape and getting government out of our faces, yet in this case only women who fill out police reports and papers are tested. I guess this is one area where I would not mind seeing red tape eliminated. Is this what the Harris government calls "help?"

Dalton McGuinty et le caucus libéral sont en faveur du contrôle des armes à feu. Nous cherchons à limiter le danger causé par l'utilisation négligente des fusils. Nous cherchons à enlever les fusils des mains de nos jeunes de 12 ans et à aller légiférer la nécessité d'inclure des cadenas de détente sur tous les fusils vendus en Ontario. Ce gouvernement n'a pas seulement refusé d'écouter ces recommandations très modestes mais ils sont allés au point de se joindre à la fédération nationale des armes à feu pour essayer de défaire la Loi sur le contrôle des armes à feu. Est-ce que c'est ce que le gouvernement Harris reconnaît comme définition du verbe « aider »?

Almost every initiative this government undertakes in the name of public safety is offset by an irresponsible analysis of facts. It is a fact, for example, that privatized jails are more likely to allow for prisoners to escape, yet this government is taking us down that road. It is a fact that at the very same time this government has passed the Victims' Bill of Rights, it has cut funding for women's shelters across Ontario, and they have done this at a time when already there are not enough shelters or beds to deal with the demand. This government has also eliminated funding for the second-stage housing program. How are women and their children supposed to move on and establish a new life? Women don't want to and they can't stay in shelters forever. They need help. They need the funding to go on with their lives in a respected way.

This situation is deplorable. Now the Harris government is trying to make us happy by legislating an amendment which is nothing more than the re-announcement of an earlier policy. We, on this side of the Legislature, will not let you get away with it. We will continue to fight to ensure that the women of this province receive real help for real problems. Dalton McGuinty and the Liberal caucus will always put public policy ahead of public relations, and we will do that because it is the right thing to do.

Nous avons ici un gouvernement qui parle sans rien dire quand on parle de crimes. Nous avons un gouvernement qui tente de se montrer compatissant envers les victimes de crimes, mais qui en réalité ne prend vraiment pas les mesures nécessaires pour que nos victimes de violence soient protégées adéquatement.

This government cannot continue to offer talk without substance when it comes to victims of crime.

Les gens de l'Ontario demandent de l'action. Ils sont fatigués d'entendre ce gouvernement parler sans ne rien offrir de substantiel. Ils nous disent que c'est assez. Nous en avons assez de voir ce gouvernement jouer à la petite politique avec les vies de nos victimes de violence. Assez, c'est assez. Enough is enough.

The sole purpose of this amendment, and we know it, why we are here tonight debating this bill, is to create a legal basis for the Office for Victims of Crime, an office that has been up and running for the last two years.

The effect of this bill on actual victims is actually zero. This government has an opportunity to do something real, to do something right, but instead of looking for ways to really help victims of violence, this government has looked at ways to help itself. Let me say one thing clearly: the people of this province do not like to be manipulated by the Harris government, nor will they forget it.

En ce qui concerne le crime, ce gouvernement est bien capable de parler en paroles des forts mais il est faible en gestes concrets.

The Acting Speaker (Mr Tony Martin): Comments and questions?

Mr Tilson: I'd like to make a few remarks on the comments made by the members from Ottawa-Vanier and Brant.

I believe these two members generally are concerned about victims of crime. I think they are concerned about the assistance that's needed. I almost got the impression, when I listened to their speeches, that the same guy prepared them but I'm sure that's not the case. I listened very carefully to their comments and I believe that they believe parts of it, and that parts of it is the party rhetoric.

You have to look at some of things this office has done since 1998 to the present. It's done quite a few things and it's those types of things that we're trying to enshrine in legislation. The first thing this Office for Victims of Crime did was to complete a very comprehensive review of victims' services in Ontario. They did that over a period of two years in 1998-99, and they conducted over 300 site visits in every part of the province. They interviewed scores of crime victims to get what was needed to build on the progress we have committed for victims of crime in Ontario to date.

The office's report, which was released in June of this year, and I recommend that you read it, recommended a number of things, many of which we have already acted upon, including recommendation 67 which is this bill, Bill 114. I hope you're familiar with the report when you're making your comments in the future.

Mr Peters: I want to compliment my colleagues from Brant and Ottawa-Vanier for the points they put forward this evening. It's important to recognize that albeit we are supporting this legislation this evening, there are a lot of concerns that we have. One of the things the Liberal party has and my colleagues within the Liberal caucus have, under the leadership of Dalton McGuinty, is a genuine concern for people. It's a genuine concern that unfortunately the Harris government has not always shown toward individuals in this province.

2120

It's important that when you read A Voice for Victims, this report that has been presented to every one of us in this Legislature, that you, as a government, and that we, as an opposition look at what's contained in these recommendations. As my colleague from Ottawa-Vanier pointed out, talk is one thing, but actions speak so much louder than words.

There are 71 recommendations contained in this report, 71 recommendations that I challenge, I encourage, I demand as a resident of Ontario, that this government implement. If there is a genuine concern for victims of crime in this province, we need to listen to the individuals who have put this report together, we need to listen to the victims of crime in this province about the issues that they face and that they've had to deal with.

If we're going to do anything, we need to listen to them and put forth and initiate these recommendations. The other thing is to ensure that the resources are available, and that's one thing the government has not consistently done in this area, to ensure that the resources are available to ensure not only that the programs are in place, but that we have trained staff in place who can ensure that these programs are going to be delivered in the best interests of the citizens of Ontario.

Mr Brian Coburn (Ottawa-Orléans): I've been sitting here tonight listening to my colleagues on both this side and the other side of the House. I've been in here now for two-and-a-half sessions and it seems to me our government has addressed many of the issues that previous governments didn't have the courage or the fortitude to try and address and solve. I guess criticism is something that comes very easily, but trying to address problems and resolve them is the challenge we've tried to meet head on.

As was pointed out tonight by my colleagues, previous governments, for whatever reason, did absolutely nothing. They stand up here tonight and talk about all the things that should be done and everything else, and when they were in power they absolutely didn't do anything. They generally try not to let the facts get in the way of their argument, but let me point out that our government first created this office and now seeks to enshrine it in legislation to provide practical and effective assistance to crime victims.

A quote from Steve Sullivan, president and CEO of the Canadian Resource Centre for Victims of Crime: "Creating a permanent Office for Victims of Crime is an important step in ensuring that the needs of victims will

be articulated to government and that the right steps are taken to ensure that those needs are being met. I commend the government for its ongoing support for victims of crime in Ontario."

The important part of this is that through our extensive consultation with people who have experienced and been victims of crime, they are best able to advise us on appropriate steps and measures to help address that issue.

Mr Bradley: I'm going to give the government a way in which it can help victims of crime right now. The family of Kristen French and the family of Leslie Mahaffy have had to put up with, in the court cases, the tapes being shown, the very infamous tapes that show their daughters being attacked sexually, tortured and terrorized by two killers, by two people who were involved in killing. Each time a case comes up they have to have those shown to everybody in the court. In other words, the news media has access to those, even the sounds that they wish people would not hear. It's awful for the parents to have to sit in the court and have to go through that.

I have asked why it would not be proper to have, administratively or legislatively or in a regulatory sense, a rule put in—because the parents understand that if there's another case this has to happen—that only the jury or the judge or the court officers would have access to those tapes. The girls were humiliated. They were not killed on tape, but of course they were, as I say, terrorized on tape. I think it would be appropriate to help victims of crime by not having the parents have to go through other people watching that in court.

They're not saying, "Burn the tapes." They'd love to see the tapes burned. They're not saying, "Get rid of those," because they understand that there may be more court cases. All they would ask is that the people who hang around courtrooms just because they enjoy court cases don't get to hear or see the tapes, and that the news media don't get to see the tapes. I know that will annoy them out there; it always does. That would be an excellent way of showing compassion for victims and I hope the government will in some way be able to meet that obligation.

The Acting Speaker: Response?

Mr Levac: I want to start by saying how pleased and honoured I am, and saddened, to be participating in the debate. I appreciate the comments made by all members in this House regarding this very serious debate—the members for Ottawa-Vanier, Elgin-Middlesex-London, Don Valley East, St Catharines—particularly the ideas that are coming from this side that are being offered to the other side to try to blend in some very good and important changes that are being offered.

The member for Ottawa-Orléans proves again the point I've been trying to make all along, that since 1995 the world started to spin, because before that nothing was done. Unfortunately for the member, if he can maybe turn back the clock, we could be better off as well in one area, and that would be 500 more police officers in Toronto, and a little less rhetoric about how many cops you plan on putting in the province of Ontario. Since 1995 I guess the world stopped for police officers in Ontario, because you've had fewer cops in Ontario per capita than you had before you got in power. So let's not start playing games with he said, she said, and before 1995 the earth didn't exist and after 1995 the world is perfect.

What we're trying to do is offer you solutions and opportunities to dialogue in this Legislature to do the things we're supposed to be here to do, and that is to make the lives of Ontarians better. The ideas that have been offered, especially from the member for St Catharines, under the circumstances in which he's speaking, are brilliant. It's something we should consider and adopt immediately if possible. Those kinds of ideas should be accepted willingly. But the earth doesn't move around anywhere except for the members on that side. Unfortunately, that rhetoric seems to be perpetrated time and time again. So let's get off the rhetoric and move on to some good legislation.

The Acting Speaker: It being 9:30 of the clock, this House stands adjourned until 10 of the clock tomorrow morning, Thursday, November 2.

The House adjourned at 2127.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr

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No. 100

N° 100

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 2 November 2000

Jeudi 2 novembre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 2 November 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 2 novembre 2000

*The House met at 1000.
Prayers.*

ORDERS OF THE DAY

YOUNG OFFENDERS

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I move that, in the opinion of this House, the federal government continues to propose legislation to replace the Young Offenders Act that does not address the concerns of Ontarians and it should therefore make the following amendments to Bill C-3, the Youth Criminal Justice Act: require 16- and 17-year-olds to be automatically tried as adults when they commit adult crimes; require mandatory jail time for youths convicted of offences involving weapons; require youths convicted of serious crimes such as murder to serve adult sentences; increase jail sentences.

The Acting Speaker (Mr Tony Martin): Mr Tilson moves notice of motion number 25. Mr Tilson.

Mr Tilson: This motion was first introduced into the House by me on October 16, which of course was before the federal election was called. It is now called, and Bill C-3, which was the federal Liberal amendment to the Young Offenders Act, has died, fortunately in my view, on the order paper. This motion has been brought forward by me simply out of frustration as to what the federal government is doing with respect to the Young Offenders Act.

The Young Offenders Act was first introduced in 1984, and it hasn't worked. The law, of course, is a federal law except that the provinces—the province of Ontario—are asked to administer it, to enforce it through the police and through the justice system.

I think that anyone has witnessed in their own community horrific crimes that have been committed by youths who have been tried under the Young Offenders Act, and it clearly hasn't worked. I submit that it puts the safety of the public at risk.

That's the purpose of the resolution, although it is slightly redundant with Bill C-3 dying. Whoever is successful in the federal election, whether it be any party that is running, I would hope their top priority would be to change the Young Offenders Act, specifically the items that have been referred to in this resolution.

The Young Offenders Act, as we all know, applies to youths 12 to 17 years of age at the time the criminal

offence is committed. It doesn't apply to youths who are under the age of 12 at the time of the offence. These children are dealt with under child welfare legislation.

Most youths are dealt with in youth court. These are provincial courts with special expertise and facilities. In some circumstances a youth may be tried in adult court.

The rules about transfer to adult court and sentencing are summarized in the following way. It's these particular points that give me great concern as to the fact that youths in these age brackets are committing these simply terrible crimes and they are committing them as adults. They are young adults and they're out in a very short period of time. I think that's wrong and I don't think the public is being protected.

Any youth over 14 who has been charged with an indictable offence—that is, a more serious offence—may be transferred to an adult court. In such cases it's the crown that must apply to have the case removed from youth court. All 16- and 17-year-olds charged with serious violent offences—first-degree and second-degree murder, attempted murder, manslaughter and aggravated assault—are automatically transferred to adult court. However, the accused's lawyer or the crown may apply to have the case stay in the youth court. That seems to happen time and time again, where cases that clearly should be held in adult courts stay in the youth court.

If the case is tried in the adult court, a youth faces the same sentences as adults except the youths sentenced to life in prison are eligible for parole earlier. The most time a youth can spend in prison without being ineligible for parole is 10 years, where an adult may be eligible for up to 25 years. Why is that? I don't understand that. The little darlings commit these awful crimes and they're out in very short periods of time.

Youths found guilty following a trial in a youth court may be given a custodial or a non-custodial sentence. A custodial sentence may be either secure custody—that is, a detention-correction facility—or open custody, a community group home. They're just let out into the public. A non-custodial sentence includes absolute discharge, conditional discharge, probation, fine or compensation for the victim, or community service. I don't understand that either and most of the people that I speak to in my riding don't understand it.

The maximum custodial sentences the youth court may impose are: two years for an offence not punishable by life under the Criminal Code; three years for offences punishable for life; seven years—four years secure custody and three years supervision for second-degree

murder; and 10 years, which is six years of custody and four years of supervision for first-degree murder.

Justice Minister McLellan, with great fanfare, said she was going to fix all that, and I think we in the province of Ontario who administer the law were quite pleased with that. Well, that isn't what happened. Bill C-3, in fact, made these sentences even lighter. It made it even softer, and the youths, who are very mature, just laughed at the federal government. I'm not laughing. I find it absolutely tragic as to what they have done.

Government officials—the Attorney General, the Solicitor General, the corrections minister—asked to speak to the justice committee in Ottawa, the justice committee comparable to what we have here, and they wouldn't allow them to be heard. They wouldn't allow those ministers from Ontario to come, yet they allowed Mr Rock to come. He's the minister, or was the minister, so I guess he can come. So he's OK.

Interjections.

Mr Tilson: I've only got a couple of minutes left.

Anyone can pick out newspaper clippings from their ridings to talk about some of the unbelievable results that have occurred as a result of the Young Offenders Act. The most recent one, which is still before the court, and I don't plan to talk about the merits of it, is Jonathan Wamback. The 15-year-old Wamback was beaten near his home north of Toronto in June 1999 after being swarmed by three teens. His skull was shattered, resulting in brain damage and several weeks in a coma. He's attempting to walk again. Two 17-year-olds and a 16-year-old from Newmarket were initially charged with attempted murder. Those charges were reduced to aggravated assault. The crown attorney prosecuting the case withdrew the application to have the case heard in the adult court saying, "No reasonable prospect of transfer."

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A youth convicted of aggravated assault in a youth court faces a minimum penalty of three years in prison as compared with a maximum of 14 years if convicted in an adult court. That's nuts. That's absolutely crazy to have that distinction between youth courts and adult courts. The trial has been completed and the court's judgment is set for sometime this month. But it doesn't matter, because that's what the law says. You could say, "We are going to send these people for 14 years." It doesn't matter, they can't be.

In November 1997, 14-year-old Reena Virk of Victoria, British Columbia, was swarmed by eight teenagers and then killed by two teens, Warren Glowatski and Kelly Ellard. Ellard, 15 at the time, punched Virk repeatedly and then, while smoking a cigarette, held Virk's head under water with her foot until she drowned. Ellard was convicted in adult court of second-degree murder, which carries a mandatory sentence of life in prison.

As a young offender, however, the maximum period for which she could be eligible for parole is 10 years. In fact, the sentencing judge ruled that due to good prospects for rehabilitation, Ellard would be eligible for parole after serving five years in prison, less the time that

she had already spent in prison following her arrest and trial. Since Ellard has neither admitted guilt nor expressed remorse, the sentence provoked strong protest in British Columbia.

You can go on and on listing these cases. We all have heard them. They've occurred in our own ridings. The Young Offenders Act is an absolute disgrace to this country. We need protection of our citizens.

Mr Dave Levac (Brant): I'm very pleased to rise to talk to the resolution today. Am I in the federal House or am I in the provincial House? It's the provincial House, right.

Mr James J. Bradley (St Catharines): There's a federal election.

Mr Levac: Oh, there's a federal election on, that's right. I think Stockwell is very proud of the wording that's being presented again.

Mr Speaker, let's talk about what's not happening in this place. Under the Tories, there are fewer police officers per capita than when they took power. There are 500 fewer police officers in Toronto since 1995. Under the Tories, the parole officer's parole and probation caseloads ratio remains one of the highest in North America. Even with the announcement of the hiring of 165 new officers, which took almost half a year to do, to even decide how they wanted to implement them, we now know that the ratios are still the highest in North America.

Under the Tories, beds have been closed in jails and detention centres all over the province so that individuals convicted of drunk driving, peddling drugs, assaults and fraud are spending their court-imposed sentences at home—tough on crime. Under the Tories, the province has moved toward boot camps, which have a dubious track record at best, and continue to ignore proven success stories like justice circles and correctional farms such as Burtch Correctional Centre, which they're closing, closing the beds and allowing those people who are being convicted of drunk driving out on the streets because they're overcrowded.

Let's talk about what we can do in this House instead of worrying about whether or not the federal government is doing what it should do. Sure, we should be making sure that those people out there understand very clearly that we want to be tough on crime, so let's find out what else the Tories have been unable to do.

Prison work programs that can aid in inmate rehabilitation have been cut back. We've been told that the two farms in Guelph and Burtch have been closed under this regime, and now we hear the correctional minister talking about, "Well, maybe we should move to reopen those farms." Let's do it. Let's not debate whether or not you think Stockwell Day is a better Prime Minister than Jean Chrétien. Let's talk about what we can do in this House.

The youth facilities at Genest have had a 10-year record without a single escape. In the 18 months that Genest has been operated privately: three escapes. Three escapes at Genest in an 18-month period. That's confidence in the correctional facility.

Wait a minute now. Let's talk about another one: the privatization policies. Let's talk about the research that's been done on the issue of privatization of our jails: 50% more chance of a prison official being assaulted; 32% more chance of escapes. Unbelievable. They want to go down a road of privatization and let people make profits. In one community alone, in Penetanguishene, there's going to be \$3.5 million going to the United States, taking out a profit, and when they've closed all the facilities in the province it's over \$150 million of economy lost to those communities so that one community can get approximately \$15 million worth of economy in their system. If we want to talk dollars and cents and we want to talk common sense in our province, what our government can do, those things have not been done.

The Acting Speaker: Further debate?

Mr Peter Kormos (Niagara Centre): I'm wary of these types of resolutions when they're presented by government members in the context that they present them.

There was a previous opportunity for us to debate the Young Offenders Act when a resolution was put to the assembly by a Conservative backbencher. I recall that debate very well. The debate focused on Bill C-3, before the federal election call. I listened carefully to the debate, I participated in it, and I heard government backbencher after government backbencher speaking not about youth crime and youth rehabilitation but about some of the most tragic and most dramatic and notorious of adult offenders and attempting to cultivate an inappropriate fear of crime and, in the course of that fear, of young people.

Let's get a couple of things straight and clear: our young offenders system deals with thousands of young people every year. The vast majority of those youngsters—quite frankly, like the vast majority of adults who enter the adult criminal justice process—are first-time offenders and never reappear in the justice system. There's no question about that. The vast majority of offences committed by young people tend to be the sorts of things that young people tend to do, like shoplifting, again not to diminish the seriousness of any breach of the law. We should be concerned with that small number of offenders—and today we'll talk about them in the context of the young offenders system, youthful offenders—who pose true threats to their community, to themselves and to their families, who are repeat offenders, who are dangers to the community.

When I talk about the context, I can't help but reflect upon what was spoken of yesterday as the hysterical response of this Attorney General and very partisan response to the Starr decision from the Supreme Court of Canada. I anticipate comments to the media in scrums and other places by Tory backbenchers, and perhaps some front benchers, about the Starr decision. I suspect that, just as it was apparent that none of them had read either the original Young Offenders Act dating back to 1982 nor Bill C-3 during this last discussion about young offender legislation, it becomes apparent that most of them have not read the Starr decision either.

Do you understand what the Attorney General is trying to do? The Attorney General, in his effort to muzzle and control judges, is creating this totally inappropriate and totally inaccurate perception of somehow scores of murderers being released. The Supreme Court of Canada, in a very appropriate judgment, upheld in the Starr decision that very basic and fundamental right of any of us not to be convicted of a crime unless the evidence against us permits a trier to conclude that it's been proven beyond a reasonable doubt—nothing more, nothing less. What more could we ask for from our Supreme Court of Canada?

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We could ask for much more from the federal Parliament in terms of their rejigging of the Young Offenders Act. I recall the comments of my federal counterpart from the New Democratic Party in Ottawa speaking of Bill C-3 and the announcements that preceded it by the Liberal minister as being, in effect, much ado about nothing. There weren't any real, meaningful changes to the Young Offenders Act.

I believe the bill did not begin to address some of the concerns that all of us should have about the ineffectiveness of our young offenders system engaging in protection of communities and real rehabilitation when it comes to those most dangerous and most serious of young offenders. One of the problems has been in terms of funding. The Young Offenders Act again clearly places responsibility for corrections and rehabilitation of young offenders upon the province. I'm prepared to join those who will rightly criticize the federal government for not providing adequate funding so that provinces, and in this case Ontario, can respond appropriately in fulfilling their responsibility in terms of administration of justice and in terms of corrections, rehabilitation, for young offenders.

All those concerns being expressed, I paid careful attention to this resolution. I read it very carefully, and I'm very frustrated and disappointed at some of the very inflammatory tone of it, because it calls upon people to draw inferences that just aren't accurate. It doesn't talk about provincial judges in our young offender courts, like some of the provincial judges I know down from where I come from in Niagara and in other parts of the province, who are dealing with huge dockets and being required to work under incredible pressures and being forced to engage in what I called just the other day sausage-factory justice. They are doing their very best.

The resolution doesn't deal with the increasing privatization of young offender facilities in this province and the real lack of consistency from institution to institution when it comes to meaningful and effective programs.

I do agree that judges should have more latitude when it comes to sentencing young offenders, that there may well be cases—in my reading of C-3 and the Young Offenders Act that it purports to amend, quite right: first, degree murder, not the most frequent murder charge, maximum 10 years with effectively maximum six years in custody; second-degree murder, perhaps the more

common prosecution, maximum seven years, but maximum four years in custody. I agree that a judge may well be inappropriately and unduly hampered, restricted, in terms of the type of sentence that would be appropriate for a particular type of offender, especially when the focus in all of corrections—and that's something this government doesn't get—should be, in the case of those who are simply never going to be rehabilitated, who are going to persist in posing a threat to the community, on the longest possible prison terms to keep them out of the community for the protection of society.

But I submit to you that those are the rarer situations. That means the primary focus should be rehabilitation, which is not to say that it has to be a cotton candy kind of rehabilitation. But what's frustrating for me, as it is for other people in this Legislature as we've been travelling around the province, is that we've seen the attack by this government on some very effective programs that have been developed right here in Ontario in the public correctional system, like the program at Rideau correctional centre in Ottawa, where there are five-week, 10-week, 15-week programs for shorter-term sentences that have proven remarkably effective at reducing the rates of recidivism, in that case, granted, among adult offenders. It's a program that's being emulated by institutions across North America. That program is being shut down.

As far back as 1982, I had concerns about the inclusion of 16- and 17-year-olds in the young offender system, that that changed the law dramatically in Ontario; not in some other provinces, where the age of adult culpability had historically been 18 rather than 16. I'm going to agree that perhaps the presumption of adult status for 16- and 17-year-olds should be made for all offences. I have no quarrel with that and quite frankly I think it's something that should be debated. It should be debated in the federal Parliament and it should be the subject matter of committee hearings. I'm going to agree that there should be increased sentences in terms of the maximums, increased sentencing potential, so that judges have more flexibility, because for some of the very seriously disturbed young people, young offenders in the system, if you're going to have meaningful rehabilitation it's going to take longer than the maximum sentences that are currently permitted.

I have some great sympathy for the mandatory minimum sentences for young people convicted of offences while using a weapon. It would have been easier for me had Mr Tilson been more specific and talked about a particular class of weapons. But that's fair enough. This is but a resolution and some guidance. So here I am. I'm confronted by a resolution that, standing alone, carries with it some validity and accurately expresses the concerns. I'm not talking about the Toronto Sun concerns, the passions that are whipped up around a tragedy that involves a crime. I've acknowledged, and I think all of us are inclined to agree, that somehow crime by youngsters, especially those serious crimes involving bodily harm or homicides or those egregious types of crimes committed by young people, we find more repugnant, as I hope and I expect we should.

I'm going to say this: I will support this resolution but I will do it very cautiously. I want to make it very clear that my support for this resolution is support for a reconsideration of the effectiveness of the young offenders system and the Young Offenders Act. Members should read Bill C-3. They should read it, please. In particular they should read section 82, which makes it clear that the purpose of youth custody is to be rehabilitation.

As long as this government abandons programs of rehabilitation; as long as this government continues to give away its correctional facilities that can provide that effective rehabilitation; as long as this government continues to de-fund the criminal justice system so that crown attorneys, police officers and judges increasingly find themselves handcuffed rather than the prisoner or accused handcuffed; as long as this government wants to adopt the crass and so unsophisticated principle of, "Oh, lock 'em up and throw the key away," and exploit fears out there that I acknowledge are genuine fears, and the fears are re-ignited every time we read about a horrible crime in the newspapers; as long as this government persists in its abdication of its responsibility for correction and rehabilitation and for the appropriate funding and provision of resources for the criminal justice system, all the changes to the Young Offenders Act amount to zip, zero.

With great caution I am going to support this resolution, because when it's stripped down to its bare language, aside from all the rhetoric, the so-called law and order rhetoric, when we know how bankrupt this government is when it comes to protecting communities and making communities safer, rhetoric that wants to inflame so that this government can pursue, along with its federal allies, its political agenda—as long as that persists, this resolution coming from this government smacks, my friends, of hypocrisy. But having said that and understanding the resolution, I will support it in its bare bones content.

1030

Mr John O'Toole (Durham): It's my pleasure this morning to stand and support my colleague David Tilson, the member from Dufferin-Peel-Wellington-Grey, to stand beside him with respect to doing the right thing for our young people. It's very clear. I want to establish the very important premise that no one can argue with this government's commitment to community safety, to the rights of victims and standing up for victims' rights, and giving police the tools to keep our communities safe places to live and work and raise a family.

I suspect I can take from the other side—the comments of Mr Phillips and others—that they are supportive of that premise. It's been established. Moving forward from there, I want to also try to establish that it's clear on the other side of that that the opposition side of it is also just as clear.

It's the kind of footprint you get used to. The footprint, the history, reveals what you are. If I look to the history, it's clear that the Liberals have failed to keep their promises in almost everything, that the red book is

kind of a statement of what they won't do. We're seeing that federally now with an early, premature, unnecessary, expensive election, where the Liberals have just released their document, with nothing in it, by the way, dealing with the very serious social issue of youth justice in a general sense. Clearly it's not important to them. What's important to them is kind of painting someone into a corner.

I think there is every reason to be suspicious. That's treating it rather mildly. I look at the red book record here. A McGuinty government: it says in their red book, "Persons who commit serious crimes must pay the consequences, no matter what their age." Yet check the Hansard, check the voting record—they do exactly the opposite.

I think technically what I've established here is that as to what the Liberals say in their policy, they absolutely do the opposite. They never deliver. In fact it's suspicious to me that anyone would read the red book. When they read it they should read it as, "The red book means these are things we won't do." They protect health care—they're the ones that cut \$25 billion from health care. They're not to be trusted. Those are pretty strong words.

The initiative this morning that Mr Tilson is speaking about is to establish that Allan Rock, Anne McLellan and their youthful justice critic over on the other side, himself possibly, I wouldn't say a young offender but he's certainly young and to some extent he's offensive too, so he's not a young offender but a young offensive—no, I mean that clearly don't have a very good handle on how important this issue is. I think we have started to establish it now.

The member from Scarborough-Agincourt is here, so I think it's important to have him clearly on the record, from the Toronto Star of April 30, 1999. You have time to get a pencil to write this down. I like to commit them to promises made, promises not kept. When you think Liberal, you think promise-failure. That's the kind of relationship I've established here. GST, airports, free trade, Jean Chrétien, Allan Rock, just think about it; keep mentioning the names and it'll stick. Karla Homolka should come to mind immediately. A failure to deal with crime. I know the member from Niagara Falls would get out his famous clipping. He's actually made that up.

"Deputy Liberal leader Gerry Phillips"—

Mr Steve Gilchrist (Scarborough East): How about "Liberals lie: Howard Hampton"? Do you like that headline?

Mr O'Toole: No, no. Wait a minute here.

The Acting Speaker: Withdraw that comment.

Mr Gilchrist: I withdraw that.

Mr O'Toole: —"said the 'hot button' platform preys on people's fears with its focus on crime and welfare recipients." Clearly they are not addressing the issue. That's really what I wanted to establish here.

The National Post on May 13 said, "I am afraid it's typical of Dalton McGuinty to turn every issue—even law and order—into a call for more pork-barrel spending. Crime for him, as you just now implied, is an opportunity

to hand out cheques to feminist pressure groups and school guidance counsellors and municipal social services budgets. His idea of toughness is to forbid farm boys to own squirrel guns." There's a really neat quote here. "Crime is an issue that often provokes posturing in politicians. But why must Dalton McGuinty's posture be a cringe?" Clearly, we characterize it as soft on crime.

I want to move now to the bright side. With respect to the member from Wellington, we should be celebrating youth. In the last few weeks, I've had the distinct privilege to be asked by school councils and school principals and indeed school boards to attend the graduation exercises of Bowmanville high school, Port Perry High School, Cartwright high school, Courtice high school tomorrow evening, Eastdale Collegiate, and a number of others. I'm there out of respect for those parents, for those students, for those teachers, for those future community leaders, and to celebrate with them the positive opportunities that our government and I believe all members here want.

They want the very best. They want a strong economy, to help people with issues of poverty and lack of social opportunity use their own strength and vision and hope to move out of the quagmire to which the 10 lost years contributed. They had no choice. We left them feeling hopeless and despaired. I suspect federally we have the same issue. It's more—dare I use the word?—deception.

Mr Gerry Phillips (Scarborough-Agincourt): Do they just despair provincially or federally?

Mr O'Toole: Well, it's a mixed issue. You're stuck with supporting the Anne McLellan-Allan Rock kind of message. Dalton isn't up to the job. Gerry, you would have made a fine leader. I only wish you had run. I would have had serious fears.

Interjections.

Mr O'Toole: I really want to move to the higher road here. I know they are trying to drag me back, and I'm pushing against it. I'm pushing back.

We've got to make one more point here. In my riding, Kurtis Wagar and Alex McLaughlin symbolize what I think youth and opportunity are all about. By having clear consequences for your actions, I think young people will make the right choice, but now, when there are no consequences for your actions under the current Young Offenders Act, clearly there is no one taking care of the henhouse. As adults, we have sent a message to young people that there are no consequences to their actions.

I'm disappointed, but I can stand proudly behind the member from Dufferin-Peel-Wellington-Grey and support this resolution. I call on the other side, the opposition, to stand and support it.

Mr Ernie Parsons (Prince Edward-Hastings): I'm also pleased to rise to speak to this bill. It is certainly somewhat innocuous in that it has no consequences whether it's passed or not. I appreciate that there are bad people in this country and there are bad kids and we need to protect others from them, so I support the concept that there are consequences for actions that are taken by our young people.

I struggle a little bit with it coming from the government side of the House. This is a government that has cut the number of police officers in Ontario. In my riding is the town of Desoronto, where police servicing costs are \$550 per household, compared to the rhetoric we heard that it should be \$90 per household all across Ontario. This government is prepared to do nothing to assist Desoronto in having police officers.

I also struggle with the fact that this is a government that, as reported in the *Toronto Sun*, a good Conservative paper, says, "Tories Stand by Deal with the Devil." This government has upheld the deal with Karla Homolka while the rest of the province is absolutely offended by it.

1040

Really, this House should be debating what we can do in Ontario that is meaningful to deal with this problem. I've travelled to a number of countries where young people are involved in far more crimes than here, where they do worse actions and where there is greater unrest within the community. Those countries are characterized as being countries with a weak education system, countries with very poor social supports for young people.

I fear that we're travelling that way in Ontario. Here in Ontario, we have taken the knife to schools, taken \$1 billion out of education, and we hear a begrudging comment about having to fund education. "We'll cut this and we'll cut that, because the bottom line is important." It appears to me that the other side of the House struggles to spend \$5,000 a year on a student in a school, yet I've never heard them complain about having to spend \$50,000 on having someone locked up—an absolute waste of so many resources. Not only do they not begrudge spending the money on people being locked up; they want to spend it in American dollars so we can ship the profit to the US, money that could be used here in Ontario to provide supports for our young people.

This government cut welfare. It was certainly politically popular; the elections have proved that. "Let's clamp down on welfare." Half of the people on welfare are children. When you took money out of welfare, you took money for food and for the basics from young people. Children now in many cases have to count on a public feeding program for their breakfast. There are schools that run lunch programs. Tell me how that hurts; tell me the impression that makes on the young people. That certainly will have consequences later. Food is a fundamental right in this province, not a privilege.

We heard a great deal of publicity a year ago about how if someone commits fraud on welfare, they are cut off for life. What a penalty, because the penalty isn't just to the individual who committed the crime, and certainly everyone here agrees that the person who committed fraud should be penalized for it. But how do you explain to the youth, to the child within that house, that there's less money coming in and there will be less food? I'm not interested in hearing comments about being able to buy dented cans of tuna. There are young people in this province who are hungry. We have fostered children who have come from homes where they were not fed regularly

every day. Is that potential for crime there? People need to eat whether they're one year or 100 years old, and they're going to do what they have to do to get food. It's our role as a Legislature to provide the supports so that people in Ontario do not have to resort to crime for food.

Mental health services for our young people are virtually non-existent. Ironically, one of the only ways they can get mental health services is to commit a crime. Prevention is a far better use of our money than is dealing with them in the judicial system.

I have had calls over the past year from young people who have come from troubled homes and need emergency housing. Not every household in Ontario, unfortunately, is like the Cleavers. Not every couple are exactly perfect parents. For some 14- and 15-year-olds, and indeed 12- and 13-year-olds, there's a need for them to get out of the home. For 12- or 13-year-olds there are children's aid societies, but for teens, 16, they're still considered young offenders. They have to do what they have to do to survive and to eat. I cannot comprehend the penalty that must be facing some of these young people who have brilliant minds but have no future, a lack of access to post-secondary, a lack of access to proper accommodation, a lack of access to clothing and a lack of access to food.

I would like to see this Legislature concentrate on the prevention aspect to serve our young people. When there are problems, certainly the judicial system, but let's keep them out of the penal system.

Mr John Hastings (Etobicoke North): I don't know if I'd say I'm delighted in joining this so-called debate, but I would commend the member for Dufferin-Peel-Wellington-Grey on bringing this subject once again to this Legislature.

It's interesting to note that most of the members opposite want to talk about anything but the Young Offenders Act and the lack of action for seven years, 10 years. Those folks in Ottawa know the existing bill isn't working. All you have to do is go around Toronto and look at some of the devastating, adverse impacts they have on the housing projects, and not only in my riding. I've had at least four murders this year that are in some way, unfortunately, youth related, gang related. We've had the federal minister promise on more than one occasion to bring in a new bill that would be effective, but when you look at its contents, it's even weaker than the existing legislation.

Why is this so? I think we have to come to the conclusion that the federal Grits, along with their brethren here across the aisle, are really—I know my own colleagues have used the phrase "soft on crime." I would go further. I would think that they're completely indifferent. They really don't care, with the exception of the member for St Paul's, who did introduce his private member's bill dealing with toy guns. Even then, I was somewhat reluctant to support it because I see it in a sense as part of this whole trend of symptomatology: you treat the symptoms but you never really get to the core causes. We in this House, particularly on that side, are serial deniers

that some young people, unfortunately, because of dysfunctional families and all the social causes, do not really subscribe to the thesis at all that a serious violent repeat offender, however they got there, should ever have any consequences equivalent to what you would get for crimes in the adult system. I'm in despair, quite frankly, with their approach to things.

Since the opposition leader has said they're going to support their federal brethren in this election, I subscribe to the thesis that they will subscribe to the continuing inaction, just a pile of platitudes about dealing with this problem: "There really isn't a problem in the city of Toronto. We don't have any murders. They're all fantasies I must have read about in my local media. There are no gangs in Toronto; it's all a fantasy."

But we do have gun control. People call me and ask, "Sir, why are we having any murders of people?" I tell them, "I don't think there are any. You must have had a bad nightmare. There's gun control and people are now registering their guns, so that should end all murders right across this country." That is the palaver that we've been led with, that the public had to subscribe to for the last number of years. "If we get rid of guns, there will be no problems. In fact, there aren't any problems in this country dealing with this whole issue." We'll just keep denying it, keep denying it, keep denying it.

I find my provincial Grit friends across the way are complicit with their friends in Ottawa when they join them in once again promising the public of this country, the voters—it's a big joke—that they're going to do something about young offenders. They intend to hardly do anything but in fact weaken the existing legislation. If people are expecting that there won't be any more Jonathan Wambacks or any more murders, people crippled, that neighbourhoods that are afflicted by poverty can end up having injustice ended by some new presentation from these folks, I despair completely. I wish the Lord would intervene in this and make them see what's happening to our society.

1050

Mr Michael Bryant (St Paul's): Let me just say this: Dalton McGuinty and the Ontario Liberals will support any measures, however minuscule and artificial, that will help crack down on crime and crack down on its causes.

That said, this is private members' business and I want to speak to private members' business. We have been concerned on this side of the House that the government has spent all of its time, and it is so bankrupt of ideas that it has to spend all of its time on the issue of crime, blaming Ottawa. But again, this is private members' business, and of course it's certainly within the prerogative of the parliamentary assistant to the Attorney General, the member for Dufferin-Peel-Wellington-Grey, to bring forth this resolution.

So let's go through the resolution and hold it up against his government's record. The resolution would require, under federal legislation, that 16- and 17-year-olds be automatically tried as adults when they commit adult crimes. Well, there's concern about 16- and 17-

year-olds, but this is the government that would put guns in the hands of 12-year-olds. Next, they would, under federal legislation, require mandatory jail time for youths convicted of offences involving weapons.

They're concerned about youths using weapons, yet this is the government that's opposed to registering and licensing firearms that would go into the hands of these potential criminals using weapons. When it comes to gun control, this government is in the holster of the gun lobby.

Next point of the resolution: require youths convicted of serious crimes, such as murder, to serve adult sentences. I would say, with all due respect to the member from Dufferin-Peel-Wellington-Grey, you'd better talk to your prosecutors, because guess what? The Attorney General of Ontario lags far behind the national average in terms of prosecutors seeking to have youth serve and be tried as adults. The statistics show that the Attorney General refuses to treat young offenders as adults. In 1997-98, Ontario moved nine youths to adult court, while both Manitoba and Quebec moved 23 youths to adult court. In 1998-99, the Attorney General once again trailed all other provinces in moving kids to adult court. In that year Ontario moved—well, let's go to Ontario at the end, shall we? Manitoba moved 29 youths to adult court, Quebec moved 23 youths to adult court, Alberta moved 20 youths to adult court, and British Columbia moved 11 youths to adult court.

Interjection: NDP.

Mr Bryant: Under the NDP government out there. And how many youths were moved to adult court in the province of Ontario? Six. So I would say to the member that he ought to talk to the prosecutors in the Ministry of the Attorney General and he ought to talk to the Attorney General. Use the tools that you have to pursue this goal that you pretend is important to you, to have serious crimes committed by youths tried in adult court.

Mr Speaker, I can't say "hypocrisy," but you've heard of a jumbo shrimp. Well, maybe you've heard of a hippo critic. This is nothing less than a hippo critic.

Lastly, this resolution calls for an increase in jail sentences under the federal legislation. Well, what? So the Minister of Corrections can let these youths, who would serve weekends, take the weekends off to watch football games? So the Minister of Corrections can privatize jails, risking the safety of our community? No.

I would say to the member and I would say to all members of this House that we not only need to recommit ourselves to looking at what we're going to do once a crime has taken place—in other words, what we refer to in the political parlance as "crackdowns on crime"—but we also need to focus on preventing crimes, because it's obviously uppermost in the minds of people in the greater Toronto area and, I know, in many parts of this province. It's a serious issue to Ontarians and they don't just want retribution; they don't just want rehabilitation of criminals. They want the government to start engaging in serious measures, not political posturing, to try and prevent crime. One way we could do that is to try

to stop guns getting in the hands of people who should not get guns. That's the point of gun control; that's the point of the phony gun bill that the justice ministers of this government initially rejected but now the government has come around to.

I say to all members of this House and, for that matter I guess, members of the federal House as well, let's stop fighting over the issue of crime and let's start fighting crime and its causes.

Mr Garfield Dunlop (Simcoe North): On a point of order, Mr Speaker: Today is the last day of this session for the pages we have here. I'm very proud that one of the pages, Amanda McIsaac, is from my riding. With us today are her dad, John, her sisters Samantha and Emma, and her classmates from St Bernard's school in the city of Orillia. Welcome, everyone.

The Acting Speaker: Further debate?

Mr Gilchrist: In the two minutes left, I'd like to make some closing comments in support of the resolution from our colleague Mr Tilson.

There is no doubt in my mind, the member from St Paul's comments notwithstanding, that there is a very clear difference between the position taken by our government and that by Liberals at both levels in this country, provincially and federally.

Grimm's Fairy Tales would have been a good cover to wrap around the Liberal platform last time. I remember Mr McGuinty saying, in response to our law and order positions, that we were trying to distract voters from truly important issues by reforming things like the Young Offenders Act. Mr McGuinty praised the federal government for its changes to the act, knowing full well nothing has changed. Bill C-3 died on the order paper. They misled the people of this country. They've let all sorts of other pieces of legislation die. The fact of the matter is—

The Acting Speaker: You can't accuse people of misleading people.

Mr Gilchrist: While it doesn't affect anyone in this House, I'm happy to withdraw that reference. Let me say instead that the federal government certainly was not reflecting the facts in suggesting that these changes had taken place.

To the students who are here with us today, let me suggest that the kinds of flip-flops we've seen on crime have done nothing to protect the society they're going to grow up in. In my own community we just saw two youths gunned down, machine-gunned, because you and your colleagues in Ottawa think it's better to make law-abiding people register their guns than to use the Criminal Code provisions that provide for a five-year penalty for the use and the possession of guns. It's never used. The time has come to get serious about crime, to make sure it's not just words on paper and whether or not you're 16 or 17, you are going to be treated as an adult. We call on whoever wins the next federal election to move expeditiously and once and for all get serious about the Young Offenders Act and the long overdue changes.

We've put 1,000 more police on the street in Ontario. We've gotten serious about the issues under provincial control. The time has come for the federal government to

get serious about the making the long, overdue changes to protect people like the students in our gallery here today.

The Acting Speaker: Response?

Mr Tilson: I want to thank members from all sides for participating in this debate. I think it's a very important issue with respect to young offenders. I will say, listening specifically to the comments made by the members from the Liberal caucus, that it echoes what their leader has said in the past respecting the amendments put forward by Ms McLellan to the Young Offenders Act, Bill C-3, I think it is called. He has said it's a step in the right direction. Well, it hasn't been a step in the right direction. The member from Niagara Centre has said, "If you read the bill, it's a step backwards. Life is made easier for these young offenders."

You know, life isn't OK with respect to justice in this country as a result of the crimes that have been committed by young offenders. Canadian Centre for Justice statistics have said that the rate of violent crimes committed by young people in 1998 is 77% higher than it was 10 years ago. They say that in cases where a young person was found guilty of a crime in 1998, the youth was a repeat offender 43% of the time. That's completely unsatisfactory. Whoever gets elected—and I hope it's not the Liberals—should change this Young Offenders Act. This resolution is not about one-time offenders of minor crimes. It's about young offenders who commit serious adult crime only to receive a slap on the wrist. That's got to stop.

1100

FAIRNESS IS A TWO-WAY STREET ACT (MINERS AND FORESTRY WORKERS), 1999

LOI DE 1999 PORTANT QUE LA JUSTICE N'EST PAS À SENS UNIQUE (MINEURS ET TRAVAILLEURS FORESTIERS)

Mr Ramsay moved second reading of the following bill:

Bill 21, An Act to prohibit Quebec residents from working in certain mining and forestry occupations in Ontario / Projet de loi 21, Loi interdisant aux résidents du Québec d'exercer certaines professions minières et forestières en Ontario.

The Acting Speaker (Mr Tony Martin): Mr Ramsay.

Mr David Ramsay (Timiskaming-Cochrane): It was over a year ago—actually it was November 24—that I moved first reading of this bill, a bill that while it sounds harsh in its title, basically mimics the Harris government bill that was passed in the spring of 1995, Bill 17, called Fairness is a Two-Way Street. In fact, that is the short title of my bill also, Fairness is a Two-Way Street Act (Miners and Forestry Workers).

The reason I felt it was important to bring my bill to the attention of the Ontario Legislature was that in the Harris government's attempt through Bill 17 to bring some fairness in labour mobility between the province of Ontario and the province of Quebec, it strictly limited those efforts to the construction industry, primarily to address the problem that I believe is still ongoing, as one of my colleagues I know will attest to here today, with the construction industry in the Ottawa-Carleton area whereby very restrictive regulations by the Quebec government make it very difficult for Ontario workers to work in Quebec, whereas our much freer labour mobility rules, which I agree with because I believe in free labour mobility across this country, really allow the Quebec workers great access to all of our jobs. So it's not fair.

While I don't mind Quebec workers coming into Ontario to work, that's fine as long as Ontario workers have the same access. That should be fair, and that would be what Canada's all about, but unfortunately over the years the Quebec government has seen to it and put up walls that prevent workers from other provinces—and I know they have a similar problem in the New Brunswick area, as they border the other side of the province of Quebec, as we do in Ontario.

For my particular area, which basically almost takes up half of the Ontario-Quebec border, especially most of it in northern Ontario, it's restrictions that the Quebec government has and cultural practices that the companies have that restrict the access for Ontario workers to work in the mines, in forestry work and the log-hauling industry in Quebec while, believe it or not, the vast majority of the workers in northeastern Ontario in those industries do come from Quebec. I'd like to give some specific examples.

For instance, Highway 101 runs basically from Wawa through Timmins to Matheson and then right over to Rouyn-Noranda in Quebec. That highway from Matheson to Quebec runs just north of Kirkland Lake, and along that corridor over the last five years have been developed some new mines, particularly a couple of fairly large gold mines. Noranda Minerals of Quebec owns one of those mines and over half the workers in that Ontario mine owned by Noranda come from Quebec. In fact, they commute on a daily basis from Duparquette, Rouyn-Noranda and other towns on the Quebec side and work in those jobs there. In Rouyn, there are a couple of Noranda mines and there are no Ontario workers at that mine. It's the same company. Basically, these mines would be about 100 kilometres apart from each other, but one's in Quebec and one's in Ontario. For some reason, the hiring practices of this Quebec-based company are that we have from time to time over half the workers coming from Quebec. I wouldn't mind that if we had that sort of access to their jobs over there. But that's not what happens, and that's not fair.

The reason I have brought this bill forward is to basically put some added pressure on the Minister of Labour and the ministry in their negotiations with the Quebec government to do the same for the workers and the in-

dustries I represent that the Harris government did in Bill 17 in regard to the construction industry. Basically, my bill works as an amendment to the government bill. It's written in the same language, using the same title but includes workers in forestry and mining.

Part of the problem is that the major players in the forestry industry in northeastern Ontario are Quebec-based companies, such as Tembec and Abitibi-Consolidated. They have operations throughout my riding and in other parts of Ontario. Because they're Quebec-based, in their Quebec operations they're used to using Quebec contractors to cut the trees and Quebec truckers to haul the wood. This displaces our workers on the Ontario side. In plain language, it's stealing the jobs of the workers I represent.

If there were free access for our workers in Quebec, which there isn't because of the various government and company restrictions, then I wouldn't mind and having this bill raised today would not be necessary. But it is necessary because we have lost hundreds and hundreds of jobs to workers from Quebec in northeastern Ontario. That's why it's necessary for me to bring this bill forward. I know that the minister and his staff are working with officials in Quebec, but it has now been a year and a half since the government passed its bill in regard to construction workers, and it's been a year since I brought this bill forward, yet I have not heard of progress being made by the Harris government in regard to workers in forestry and mining jobs in northeastern Ontario.

It's time to put some more pressure on the minister and I hope the government members support this bill today and keep it alive to keep pressure on the Ministry of Labour so that we can have successful negotiations with Quebec and free labour mobility across the two provinces.

Much of the area I represent along the Quebec border from just north of North Bay to Cochrane has lost hundreds of jobs to Quebec workers in the forestry and mining industries over the last few years. It is very common to see Quebec residents cutting our trees and hauling our logs to our sawmills and our paper mills, and similarly there are many Quebec residents working in our mines in northeastern Ontario, commuting on a daily basis. Either we have to have free access or this has to stop.

This bill of mine has support from most of the municipalities in northeastern Ontario, and in May of last year the Federation of Northern Ontario Municipalities, at their annual meeting, unanimously voted in support of my bill that would put restrictions on Quebec workers working in Ontario in these forestry and mining industries. They understand. As they see jobs leaving their communities, they see paycheques leaving their communities. Those paycheques go back to the Quebec workers' homes in the province of Quebec. That money is not spent in our communities. Those workers do not buy pickup trucks from dealers in Ontario. They don't buy their groceries there. They don't shop in our towns. They basically take that money from Ontario back to Quebec. While we want jobs as much as we can in our

area, we want our residents to have their fair share of the jobs that are derived from the resources Ontario has been so blessed with.

Members will note that the Canadian Federation of Independent Business—I'm sure most of the government members pay particular attention to this organization—in their latest questionnaire that they put out this year, the question was, "Should the federal and provincial governments remove barriers to free movement of labour between the provinces," and 73% of their members in Ontario said yes.

That's where my bill temporarily will put on a restriction unless Quebec opens up their borders. That is the true meaning of my bill, to open up labour mobility across this country. It's very important. The business community wants that to happen. They say that removing these internal barriers would expose businesses to a larger pool of qualified labour and boost employment through increased trade, and that harmonizing labour standards would allow the set-up of more effective national internship and training programs.

So the business community, the municipalities in northeastern Ontario and certainly the citizens and residents of Timiskaming-Cochrane, which basically makes up most of the Quebec-Ontario border in our province, agree that this bill should pass so that we can put pressure on to have labour mobility between the two provinces.

1110

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I would like to offer a brief analysis of this bill, Bill 21, An Act to prohibit Quebec residents from working in certain mining and forestry occupations in Ontario.

The member from Timiskaming-Cochrane is to be commended for his attention to this difficult issue. The problems of unfree trade, if you want to call it that, between different parts of Canada is old. Indeed, it's a problem that goes back even to the days of Confederation.

I applaud the member for the title of his bill, Fairness is a Two-Way Street. What is good enough for Jack should be good enough for Jacques.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): How about Jill?

Mr Gill: That as well, and Jane and whoever.

Members will note that the member from Timiskaming-Cochrane took this title from a bill passed by the previous Parliament when it became necessary to keep a little control on Quebecers who were doing construction work on the Ontario side of the Ottawa River.

I'm very glad that the honourable member is coming to see things more in accord with the Harris government. I'm sure the members who were here for the passing of Bill 17 in the last Legislature feel his imitation is the sincerest form of flattery. At the same time, I have certain worries and misgivings.

The original Fairness is a Two-Way Street Act only imposed registration requirements on Quebecers in the Ottawa construction industry. This bill seeks to ban them

entirely. This aims to escalate the conflict to a higher level and Quebec would be forced to retaliate.

Mr Speaker, I want point out that I will be sharing my time with a few of the honourable members on this side of the House.

By banning Quebec workers, we would be directly responsible for their hardships, when our complaint is not with the workers but with the Quebec government.

With this bill, the member from Timiskaming-Cochrane threatens to create a lot of new regulations and red tape in the mining and wood sectors.

Certainly we can see and we can all agree that it was the province of Quebec that started this conflict. But we on this side of the house and especially my friends on the red tape reduction commission would agree that regulations and laws tend to outlive the incidents and fears that prompt us to create them.

For instance, in our ministry we have begun discussion about finally eliminating the Government Contracts Hours and Wages Act. This act was passed in 1936, but never enabled. The necessary regulations were never created and so it has cluttered up the statute books ever since.

I fear that Bill 21 might do the same. I fear that Bill 21 might end up being the subject of the 57th Red Tape Reduction Act in 2035, during the ninth term of the Mike Harris government.

This House should proceed on simple and fair principles. I believe and we in this party believe in equity, such that the same rules apply to everyone, wherever they live. We also believe in free trade in goods and services, including labour, wherever possible.

Now, even the separatists in Quebec City believe in this. They have repeatedly stated that after they declare independence, they would like to have a free trade agreement with the rest of Canada. The idea of free trade with a sovereign Quebec is very ironic, since we don't even have free trade now.

Our Minister of Intergovernmental Affairs, Mr Sterling, is making progress in his regular exchanges with the Quebecers. The government has been meeting with Quebecers with the aim of resolving the problems in the mining and forestry sectors. Normally, an impasse or breakdown in talks would justify retaliation and sanctions of this sort. We should encourage the minister to continue his good work. I hope he will demonstrate to the suspicious minds in the National Assembly that federalism really does work.

This bill also fails to take into consideration the number of Ontarians working in these industries in Quebec who could be vulnerable to any retaliation from Quebec. In its current form, this bill fails to recognize that in northern Ontario some forestry operations are accessible from the Quebec side of the border only and that they therefore use Quebec contractors. This bill will be the cause of great pain for the businesses in these communities.

As for this bill, introduced by the honourable member from Timiskaming-Cochrane, Mr Ramsay, I would like

again to commend him for what he has done on behalf of his constituents. This bill is a good beginning. It should be reviewed and improved upon.

We recognize that the intent of this bill is well-meaning and we are pleased to support this bill in principle.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): It is unfortunate that once again the Harris government does not think. It is important to stand up for the rights of our Ontario workers. My colleague from Timiskaming-Cochrane, David Ramsay, had no choice but to bring forth Bill 21, An Act to prohibit Quebec residents from working in certain mining and forestry occupations in Ontario. We don't really want to prohibit our neighbours from working together with us in the mining, forestry and construction industries, but we want the right to work freely in Quebec as they do so freely in Ontario.

I was just listening to the member for Bramalea-Gore-Malton-Springdale, who says he believes in free trade. But if we look at this government, on May 4, 1999, they said, "Enough is enough. We want a level playing field." This government has spent over \$1 million in billboard, newspaper and radio ads. I've said it before: this government has misled the people of this province.

Mr Mike Colle (Eglinton-Lawrence): Just to get votes.

Mr Lalonde: Just to get votes.

The Acting Speaker: You'll have to withdraw that. You can't accuse the government—

Mr Lalonde: I will withdraw these words.

But it is clear that the member doesn't know the content of Bill 17. He doesn't understand the problems we are facing in the construction industry in Ontario. This government said it themselves prior to the last election. During the election Mr Harris, the Premier, came down to my riding twice; Minister Ecker, the Minister of Labour at the time, a lot of ministers ran down to our riding to tell the people, "We have had enough."

But, let me tell you, I was just on a cruise tour in the Trois-Rivières area when I happened to be sitting down with the person from Quebec who wrote the agreement for Quebec. He said, "Jean-Marc, it is very easy to negotiate with Ontario. They accepted everything we said." He said, "I wish I had a chance to go and work for your government in Ontario. I would write a real agreement that would meet the needs of Ontario workers."

The member really doesn't know what we are facing on a daily basis. All we want is a level playing field. It appears that when the time comes to negotiate on labour mobility issues with Quebec, the Harris government does not feel that Ontario labourers are important and lets Quebec do exactly what they wish.

1120

I remember clearly last year, when Minister Stockwell was in negotiations with Quebec on the construction issue, he kept telling me, "Jean-Marc, everything is going well. We are making real progress." For the record, we have made no progress at all. Our construction workers just cannot work in Quebec, while Quebec construction

workers are working all over Ontario without having to register with the job protection office, without having to pay anything, and at times not even being charged provincial tax and GST. Our Ontario contractors, logging industry and forestry people have to add up these charges on the bill, so the province of Ontario keeps hiring those people from Quebec.

This is exactly the same situation that my colleague the member from Timiskaming-Cochrane has found in northern Ontario: the jobs that our Ontario mining and forestry workers should have, have been snatched by Quebec mining and forestry workers, while our Ontario workers are unemployed. Our mining and forestry workers are unable to work in Quebec. This is unfair. This is not a level playing field.

I have an example. Loggers from the Hearst-Kapuskasing area have lost several provincial contracts in our own province because Ontario truckers are facing all sorts of problems entering Quebec. They must dump their loads at the Quebec border. They are not allowed to enter Quebec paper and sawmills without being fined, while loggers from Quebec can come into Ontario without any restrictions.

I say to you, when is this government going to get off its butt and help our workers? It is all fine and dandy to say that everything in Ontario is booming, but there are many areas in rural Ontario, such as Mr Ramsay's riding as well as mine, where unemployment is still too high and our mining, forestry and construction workers feel forgotten.

Ontario might be seeing a boom now, but we must look to the future, when jobs might be more scarce. Also, as I said a few weeks ago in this House, our construction workers are still being fined on a regular basis when trying to work in Quebec. Ever since this new agreement was signed on November 12 last year, which is up for renewal, 164 fines were sent to our Ontario construction workers, our logging industry and our truck drivers. One full year after the Minister of Labour's great Ontario-Quebec labour mobility agreement, which was supposed to level the playing field, the agreement comes due once again this month. I wonder what kinds of surprises the minister has for us this time. Quebec doesn't have the Hull casino site to flaunt in front of the minister this year. I wonder what kinds of candies they will bring to the table this year to ensure that Quebec workers have full access to our construction sites.

By the way, we did not get even a single contract at the casino in Hull, when the government of Ontario promised that we would have access to this \$200-million project. Not a single contract, even though at least once a nationally known contractor with a head office in Ontario was the lowest bidder and could not have access to the Hull casino.

My leader, Dalton McGuinty, thinks that all workers should be treated fairly.

Mr Doug Galt (Northumberland): Who?

Mr Lalonde: Our leader, Dalton McGuinty, and that's what he says. I wish your leader would have the same

position as ours because he understands the situation. He understands that we haven't been treated fairly.

Mr Ramsay thinks that all workers should be treated fairly.

Interjections.

The Acting Speaker: The member for Simcoe North will settle down. Go ahead.

Mr Lalonde: Mr Ramsay thinks all workers should be treated fairly and I think all workers should be treated fairly. It appears the only ones who think Ontario mining, forestry and construction workers do not deserve this treatment are the Harris government—the only ones who don't think that.

You must know forestry and mining is the backbone of manpower in northern Ontario. I say to you, Minister, stand up for Ontario workers in your negotiations with Quebec. Don't let them bully you again. Stand up for your own principles, as my leader Dalton McGuinty does, as my colleague David Ramsay is doing and as I and the Liberal caucus are willing to do.

I support the intent of this bill and I just hope the rest of this chamber will do so.

Mr Peter Kormos (Niagara Centre): The bill is regrettable. It's regrettable because it has to deal with and purports to deal with a scenario which is contrary to the interests of those of us, and I believe that's all of us, who believe in a strong Canada and who believe in the guarantee of mobility throughout this country.

I want to indicate some of the history of the relationship, or the lack of relationship, between Ontario and Quebec that the bill appears to want to address.

In the early 1990s, the NDP government, confronted with this issue in the construction trades and focusing primarily in that area, had occasion to pass legislation and it was successful in negotiating a resolution in terms of mobility across the Quebec-Ontario border with the province of Quebec.

A new government in Quebec reneged on the agreement that had been reached. That led this Parliament then to Bill 17, introduced by the Minister of Labour in this government's first term, and again the House, the chamber, supported Bill 17.

It was during the debate on Bill 17, I recall and note, that my colleague Gilles Bisson, from Timmins-James Bay—not the only northern member—raised very specifically that the issue was not one just involving construction trades but also very much involved the forestry and mining industries. When I say "regrettable," it's regrettable because the bill is clearly one designed simply to bring Quebec to the table in terms of negotiating a settlement as the Quebec government of the early 1990s was prepared to do over the issue of construction and building trades.

I want to make it very clear, and I believe other members of the assembly share this perspective and would want to share and basically caveat that our support for the bill in no way should be misconstrued as any sort of Quebec-bashing or in any way condemning the people who live in the province of Quebec, the people who work

there. I believe Quebecers have a right to work anywhere in Canada unrestricted, but so do Ontarians. You see, this is the issue. That's the problem. It's unfortunate and, again, I don't fault the author of the bill, that the bill very specifically talks about prohibiting Quebec workers from coming into Ontario, because that will or could be used by some who want to interpret this unfairly for their own purposes to suggest that somehow Ontarians once again are engaging in Quebec-bashing. So I just want to make it clear, clear, clear that our support for this bill in no way should be interpreted as any sort of animosity or disaffection for Quebec or Quebecers.

1130

I have been blessed to become a little familiar with the scenario that the author of the bill speaks of up in his riding and in the neighbouring riding of Timmins-James Bay, having been a reasonably frequent visitor there, having had a chance to tour a lot of the sites that are the subject matter, the mine sites and the forestry sites. In fact, I know that Len Wood, who is the NDP candidate up there in this federal election and has been campaigning out there, meeting folks across that huge riding for months now, feels very passionately. Len Wood is a passionate advocate for the mining and forestry industries within his riding of Timmins-James Bay, and when Len Wood is sent to Ottawa by the voters of Timmins-James Bay to become an effective and outspoken and strong voice for the north, and very specifically for the people of Timmins-James Bay, you can bet your boots that Len Wood, like no other member would, will be addressing these concerns in the federal Parliament, just as they have been addressed over the course of this last decade here in the province of Ontario.

Len Wood is incredible, Speaker; he really is. Just in August I was with Len Wood and I visited a number of aboriginal native communities along the James Bay-Hudson's Bay coast. Len Wood had an intimate understanding of those communities, was well received in them. Some of those communities, as you well know and other northern members know, are incredibly isolated and remote. The only access is by plane, and that's not by regular flight. Len Wood just overwhelmed me with his incredible sensitivity to these communities as well as his familiarity with the mining industry across the north and the forestry industry and what it means to northerners and their economy and to the economies of this province and of this country. I couldn't have been prouder than to have Len Wood as a colleague here in the Legislature, and you will not disagree. You can't. I know you can't. I defy you to stand up now and disagree with me, Speaker, in my proposition to you that Len Wood was as capable and as competent and as effective a member of this assembly as has sat here certainly in the 12 years that I've been fortunate to be able to serve the folks of Niagara Centre.

I recall the observations of Gilles Bisson, who is Len Wood's provincial counterpart—Gilles Bisson of course represents this new riding of Timmins-James Bay, and again is a fighter for the north, a fighter for the mining industry, an advocate for the forestry industry. He under-

stands the incredible relevance of those industries. One of the concerns my colleague Gilles Bisson had that he raised back during the debate around Bill 17 was that Bill 17 didn't deal with the mining and forestry industries. He pointed that out to the government. It dealt with the construction industry, the building trades. He also noted with some desperation that this government, the Harris Tories, have in fact begun to undermine the mining industry, that the support for the mining industry by this government in the province of Ontario has eroded significantly over the course of the last five or six years, in contrast to the enhanced levels of support that the province of Quebec provides to its mining industry.

So you see, the inequities aren't just about the mobility of labour, the ability of Ontario mining workers in all facets, both the miners and the people involved in drilling and exploration and so on, and forestry workers—the issue isn't just the restriction that Quebec imposed upon their access to Quebec work sites; the inequity also goes to one—because that inequity, Quebec's restriction on Ontario workers' access to Quebec work sites in the mining and forestry industry, clearly rests as the responsibility and as a source with the policies of the Bouchard government in Quebec. But the undermining of the mining industry in terms of the diminished support that it receives rests clearly with the Harris Tories here at Queen's Park. You can't talk about one without talking about the other, can you?

That's why people like Len Wood in Timmins-James Bay are the kind of people who have got to be sent to Ottawa come the federal election at the end of November. Because Ottawa needs, and Timmins-James Bay needs, spokespeople for the north, people who have an intimacy with the economies of the north.

Len's no dilettante who was born with a silver spoon. Len Wood did it the hard way. He worked in the mills. As a matter of fact, up in Kapuskasing—you recall this, Speaker—when that mill was ready to be shut down, where was Len Wood? Len Wood was leading the fight to save that mill, save that community. He led that fight and he won that fight, and Kapuskasing thrives today because of Len Wood and his tenacity, his courage and his strength as a parliamentarian. That's the kind of person Len Wood was at Queen's Park. That's the kind of parliamentarian Len Wood will be in Ottawa, along with other New Democrats led by Alexa McDonough.

That's why I'm proud when I'm in Timmins-James Bay with Len Wood, because I know that he, unlike his opponents—and he has opponents. There are people running against him from any number of parties, none of his opponents and their parties having any sound or strong bases in northern interests. That's why I'm proud when I'm up in Timmins-James Bay and I'm going to be proud to visit Len Wood when he's in Ottawa.

So we support this legislation. We hope that it will be utilized for the purpose clearly expressed, and that is, quite frankly, simply as leverage to get Quebec back to the negotiating table so that the same sort of settlement that the New Democratic Party government was able to

obtain with the Quebec government of the day can be obtained now, in this instance with respect to workers in the mining and forestry industries.

Have you ever been with Gilles Bisson in his riding of Timmins-James Bay? There isn't a person there, there isn't a kid there, their parent or their grandparent, who doesn't know him and whom he doesn't know as well. He travels a huge riding—an incredibly huge riding. The riding of the author of the bill is similarly large, and a pleasant one to be in, I've got to tell him. It's a huge riding, a huge number of communities, among them the smallest communities in Ontario and Canada and among them some of the most isolated communities in Ontario and Canada.

As we wrap up—there's so little time and so much to say—in the brief time that I am to participate in this dialogue, I find—and perhaps he's en route—that the absence of the Minister of Mines in the course of this debate to be a little unsettling. I appreciate, to be fair, that he could be doing any number of things this morning. I understand that. I'm not quarrelling with that, but surely a press release, a position clearly identifiably associated with the Minister of Mines demonstrating if there is a commitment—which is what I'm not sure of. I'm not sure the Minister of Mines has any real commitment to the mining industry in northern Ontario.

1140

I don't see the Minister of Mines trying to counter the incredibly enhanced level of support that the province of Quebec provides to its mining industry, which inherently puts our mining industry at a significant and gross disadvantage. It would be interesting to hear the Ministry of Mines taking a clear position on that and understanding the incredible importance of mining to the north, to its economy, and once again to the economies of Ontario and Canada.

I very much appreciate the opportunity to address this matter. I look forward to being able to vote on this 55 seconds earlier than we would have had I not terminated my comments at this point.

Mr Tascona: I am pleased to join the debate on Bill 21. I was very interested in some of the conversations the member for Glengarry-Prescott-Russell has had over the year, and also the member from Welland's renditions of Len Wood. I'm just wondering if Jean-Marc has had conversations with Len Wood that he can bring to this debate. I think the member from Welland, though, hit it on the head when he said, "We're talking about mobility rights." That's what we're talking about: labour mobility.

Bill 21 is An Act to prohibit Quebec residents from working in certain mining and forestry occupations in Ontario, and the purpose of the bill is to ban all Quebec residents from working in Ontario as miners, woodcutters or wood transporters. There's been mention here today of Bill 17, which is the Fairness is a Two-Way Street Act (Construction Labour Mobility), passed in the spring of 1999 by this government. It addressed labour mobility issues and is currently being applied in the Ontario-Hull region in the construction industry. Bill 17 was the result

of many years of discussions and frustrations over this issue, particularly in construction. Quebecers were able to work in Ontario while Ontario workers were barred from work in Quebec. During negotiations with Quebec, the issue of labour mobility in the forestry and mining sectors was raised but not included in that final agreement.

From what I understand, these issues are currently being discussed with Quebec, but more importantly, there's a difference between Bill 21 and Bill 17. Bill 21 imposes prohibition on workers while Bill 17, which is law, applied registration requirements and other restrictions. Such prohibition, which is being imposed here by the member, is obviously subject to challenge under the Charter of Rights, is subject to being challenged under the agreement on internal trade. Bill 21 does not restrict Quebec companies from working in mining and forestry as long as they hire Ontario residents. Section 3 of the bill defines the penalties but does not describe a mechanism for enforcement. Are there to be inspectors, and what powers would they have? It's very silent on the bureaucracy that you would want to see created in this particular piece of legislation. More correctly, you don't want to see the bureaucracy that's envisioned by the members of the opposition. Section 5 states that the Lieutenant Governor may suspend the operation of the Act by regulation, but there's no authority to create regulations in the bill. Obviously, it's a very poorly drafted bill.

I think I understand the intent. I think this is obviously politically driven. I'm not aware of any other conversations Jean-Marc has had on this particular issue, so I can't comment any further. But I'll say this: this matter is being taken seriously by our government and I know the Ministry of Labour is very aware of this. I trust this bill will receive due consideration by the House.

Mr Garfield Dunlop (Simcoe North): Thank you very much, Mr Speaker, for allowing me to speak today on Bill 21, the Fairness is a Two-Way Street Act (Miners and Forestry Workers). I would like to thank the members for their valued comments and I'd also like to thank the member for Timiskaming-Cochrane for this bill that addresses a very serious problem. Of course the problem is the issue of fairness between our province and our neighbour to the east, the province of Quebec. The bill is very similar to another bill that came forward in this House, the Fairness is a Two-Way Street Act, the bill that restricted labour mobility of Quebec construction workers who wanted to work in Ontario.

I understand from the member for Glengarry-Prescott-Russell that he has some serious concerns with that even today. As most of us know, Bill 17 was passed by this House in 1999, the result of many years of discussion and frustration over this issue, particularly in the construction industry. Quebecers were able to work in Ontario while Ontario workers were barred from working in Quebec. The Mike Harris government saw this unfair treatment our workers were receiving in Quebec and took the necessary action to protect those workers. Of course the

action paid off with an agreement between our two provinces. Like so many times, our government responded to the need to protect the workers in our province.

The creation and protection of jobs in Ontario is a priority, and I can say I was very disappointed when Mr Ramsay mentioned that there was actually a mine in Ontario that was completely filled with Quebec workers. I think that's unacceptable.

As far as the issue of mobility within the forestry and mining sectors is concerned, it is my understanding that during negotiations with Quebec, the issue of labour mobility in the forestry and mining sectors was raised but not included in the final agreement.

The member for Glengarry-Prescott-Russell made some interesting comments. He talked about partisan advertising to do with that bill. You mentioned \$1 million being spent in advertising, that Mike Harris has wasted \$1 million on that. I'm very curious wondering why he hasn't talked about his adbuster leader over there who's refusing to make any comments on the partisan advertising that's been going on with the federal government during the pre-writ and the writ period. There's advertising going on today and I don't see the adbuster over there making any comments on that.

It's interesting. It seems to rile them whenever you talk about health care. They mentioned Mike Harris being in collaboration with the separatists. Well, the separatists are the province. Lucien Bouchard is the Premier of a province, and his government has been underfunded by the federal government in health care the same as Ontario's has, so there is a certain collaboration going on there. I would like to make that point very clearly in this House.

We have two minutes and 20 seconds left and I'd really like to have the member from Northumberland put his perspective on this very interesting act.

Mr Galt: Thank you to the member from Simcoe North for leaving me a few minutes. It's a very interesting bill that the member from Timiskaming-Cochrane has brought forward. I can certainly understand where he's coming from, concerned about the people in his riding, concerned about people having jobs there. He's concerned about one aspect of—I know its two or three different occupations but we really need to look at this in the big picture.

I heard the member from Niagara Centre speaking on this, and I have some empathy for some of the comments he was making and where he was coming from with the big picture across Canada. I would not like to see a heavier, stronger border between Ontario and Quebec than we have between our two countries, the US and Canada. I see opening that up more, rather than closing it. We brought in the Fairness is a Two-Way Street Act in the spring of 1999 and that accomplished quite a bit.

I recognize there've been several mines closed in the north, and some 990 jobs were lost up there, but we brought in some cuts with our last budget, from 20% to 10% in the mining tax. We brought in Project Treasure Hunt to help with mining exploration. These are the kind

of things we're doing. I'd be concerned with this bill going all the way through, the disruption of some of the present working relationships between our two provinces.

Negotiations are probably the right way to go, and there are other businesses that have mutual benefits that work across those borders. I agree with the principle and the direction the member from Timiskaming-Cochrane is coming from, but I think we need to be careful, that we need to look at negotiations to really solve this. I appreciate his concerns, but I wouldn't want to come up with a solution with a sledgehammer when we could win gently with a flyswatter.

1150

Mr Mario Sergio (York West): I'm delighted to add my voice and my support to Bill 21, which has been introduced by my colleague the member from Timiskaming-Cochrane. Even the last speaker from the government side said they agree with the content, but eventually what they are saying is that they can't support it. It makes sense, but they can't support it. They agree with the content of the bill, but they can't support it.

It does make sense. I think the member for Timiskaming-Cochrane is quite right when he says it has got to be a two-way, fair system; otherwise things won't work. When things won't work, especially for our workers, and especially for those workers in northern Ontario, who is there to speak for them? Is it our Premier, Mr Harris, or is it Mr Bouchard? Is it Mr Bouchard, the Premier of Quebec, who will defend the rights of workers in Ontario, especially the ones in our northern communities, or is it our Premier here at Queen's Park, in this chamber, who will speak on their behalf? No way. Nowhere to be found. We have our leader here, Mr Dalton McGuinty, who on a daily basis keeps on calling on the Premier to do something about it.

It is nice to hear that some members of the government side have mentioned Bill 17, which was introduced into this House because of the efforts of my colleague from Glengarry-Prescott-Russell. It was affecting the workers on both sides but especially the Ontario workers, unfairness which was, and still is, between Quebec and Ontario. Let me tell the members on the government side that Bill 17 is doing absolutely nothing to protect Ontario workers or Ontario businesspeople, especially the small general contractors who have to go and work on the other side in Quebec.

So Bill 21 is very timely, and I think this is due to the intelligence and foresight and knowledge that the member from Timiskaming-Cochrane has when it comes to labour and our workers up in the northern region.

It is not fair that our people up north are continually penalized. At this time the member for Timiskaming-Cochrane is bringing to this House concerns with respect to the mining and forestry workers, who are being invaded, if you will, by workers from the other side of the border. Our member here is saying that fairness indeed stops at the border between Quebec and Ontario.

I urge our Premier and the members on the government side to vote today in support of this bill and offer

the protection they need and deserve when it comes to fairness in trade movement between Quebec and Ontario. It is the regulations, it is the laws, it is the licensing, it is the permits, it is the requirements and it is the agreements which are not fair, and Bill 21 calls on our Premier and this government to look at the unfairness that exists when dealing with our cross-border workers and our business community.

It is not only our workers. We also have to deal with the families of those workers. We have to deal with the business community in those remote northern areas, the small business community in those northern areas. I'm sure that if I were to say, yes, I speak as well for the small communities in the north, they need a fully employed force up north to survive and to maintain their families up to standard with the rest of the people of Ontario.

This is not the only area where northern communities suffer and feel neglected by our own provincial government here. In health care, with respect to providing cancer treatment for women up north, they are terribly neglected by this government. With respect to a shortage of doctors in those communities, it is because of the neglect of this government. So there are many areas where we can say fairness is a two-way affair, a two-way street.

In this particular case, Bill 21 makes sense, is timely, and I hope it gets approved in this House today. I compliment the member for Timiskaming-Cochrane for introducing it.

The Acting Speaker: The member for Timiskaming-Cochrane has two minutes to respond.

Mr Ramsay: Thank you very much, Mr Speaker, and I'd like to thank all the members who contributed to the debate today to my private member's bill. I appreciate your encouragement.

In my final remarks I just want to say that in a world that is rapidly changing, where jobs are rapidly changing into this high-tech world, it's very exciting. The particular part of the province that I represent really hasn't had, for many reasons, the blessings and the benefit of that industrial revolution in the electronic age, and primarily our jobs are resource-based. Quite frankly, we need every one of those jobs, as many as we can have, and when we see hundreds and hundreds of Quebec workers coming over and basically stealing those jobs from us when we do not have equal access to the same jobs on the Quebec side, it really angers the people I represent. All we're looking for today here is some fairness, some equal opportunity, a level playing field between our two provinces, Ontario and Quebec, so that our workers can share in the bounty on both sides of the border as we harvest our resources and add value to those resources in some of the new products that are being developed, such as oriented strand board and other products such as that.

It's time that we take a strong stand to defend our workers and to make sure that both the Quebec and Ontario governments understand that there needs to be

fairness. I have had deliberations with the Minister of Labour and I know he is talking to his counterparts in the province of Quebec. The purpose of my bill is to keep the pressure on to make sure that Chris Stockwell and the Harris government complete those negotiations and to make sure that workers in northeastern Ontario have free and fair access to jobs right across the region so that all workers in northern Quebec and northern Ontario can work and prosper, raise their families and be successful in the work that they do.

The Acting Speaker: The time for private members' public business has expired.

YOUNG OFFENDERS

The Acting Speaker (Mr Tony Martin): We will deal first with ballot item number 45, standing in the name of Mr Tilson.

Mr Tilson has moved private member's resolution number 25. Is it the pleasure of the House that the resolution carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

We will have a vote on this item after the next piece of business is done.

FAIRNESS IS A TWO-WAY STREET ACT (MINERS AND FORESTRY WORKERS), 1999

LOI DE 1999 PORTANT QUE LA JUSTICE N'EST PAS À SENS UNIQUE (MINEURS ET TRAVAILLEURS FORESTIERS)

The Acting Speaker (Mr Tony Martin): We will now move to ballot item number 46, standing in the name of Mr Ramsay.

Mr Ramsay has moved second reading of Bill 21. Is it the pleasure of the House that the bill carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Pursuant to standing order 96, the bill is referred to the committee of the whole House.

YOUNG OFFENDERS

The Acting Speaker (Mr Tony Martin): Call in the members. This will be a five-minute bell.

The division bells rang from 1158 to 1203.

The Acting Speaker: Mr Tilson has moved private member's notice of motion number 25.

All those in favour will please rise.

Ayes

Agostino, Dominic
Arnott, Ted

Gerretsen, John
Gilchrist, Steve

Newman, Dan
O'Toole, John

Barrett, Toby	Gill, Raminder	Parsons, Ernie
Bartolucci, Rick	Guzzo, Gary J.	Peters, Steve
Beaubien, Marcel	Hardeman, Ernie	Phillips, Gerry
Boyer, Claudette	Hastings, John	Ramsay, David
Bradley, James J.	Johns, Helen	Runciman, Robert W.
Bryant, Michael	Kennedy, Gerard	Sergio, Mario
Caplan, David	Klees, Frank	Sterling, Norman W.
Chudleigh, Ted	Kormos, Peter	Stewart, R. Gary
Cleary, John C.	Kwinter, Monte	Stockwell, Chris
Coburn, Brian	Lalonde, Jean-Marc	Tascona, Joseph N.
Colle, Mike	Levac, David	Tilson, David
Cordiano, Joseph	Marland, Margaret	Tsubouchi, David H.
DeFaria, Carl	Martiniuk, Gerry	Wettlaufer, Wayne
Dombrowsky, Leona	Maves, Bart	Wilson, Jim
Duncan, Dwight	Mazzilli, Frank	Wood, Bob
Dunlop, Garfield	Molinari, Tina R.	Young, David
Ecker, Janet	Munro, Julia	
Galt, Doug	Mushinski, Marilyn	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 58; the nays are 0.

The Acting Speaker: I declare the motion carried.

All matters relating to private members' public business now being completed, I will leave the chair. The House will resume at 1:30 this afternoon.

The House recessed from 1206 to 1330.

MEMBERS' STATEMENTS

MPP BACK TO SCHOOL PROGRAM

Mr Michael Bryant (St Paul's): It has been my great honour and pleasure to participate in the MPP back to school program that was launched on September 14 by Dalton McGuinty and the official opposition education critic, Gerard Kennedy, the purpose of which was to provide something constructive during this time of turmoil in our public schools by calling on all MPPs to go to their local schools and find out the real impact on our schools of provincial policy and funding changes first-hand. I've been to a number of schools and I'm going to go to a number more, to help me be better prepared to make the helpful decisions we need to make during this time of turmoil. Of course, I've been to schools before the program and I'm going to go to schools well after.

I heard from students about the concern they felt that they were guinea pigs with respect to the curriculum. "Nothing less than a government stunt," one of them said to me. Teachers said the curriculum was throwing 50 years of educational research into the garbage. Fund-raising efforts pay for not only arts, music, CDs and trips but also for textbooks. I was most impressed, but also disheartened, by the fact that our teachers in the staff room felt demoralized on the one hand, the subject of attack, advertising and messages from the government, but on the other hand they could put that aside and go into the classroom and be the professionals they are.

I applaud the teachers, the parents, the students and the administration during this time of turmoil. I hope you

will persevere. I can assure you that I will continue to fight for public education in this province.

ALZHEIMER RESPITE CARE

Mr John O'Toole (Durham): I once again have very good news from the riding of Durham. Really, I have to thank Elizabeth Witmer, our Minister of Health and Long-Term Care, because through the Alzheimer strategy she made available to my community funds—I think it was in the order of \$85,000—and the community decided to use it for the purchase of a minivan, which carries 12 passengers and allows for four wheelchairs. Really, the minivan is used to transport people from all over Durham to a daycare program that's held in the village of Newcastle.

I specifically want to thank Elizabeth Fulford and Sally Barrie, who's the administrator of Clarington's community care and home support program, as well as Joyce Erb, Jennifer Rusaw, who's the program manager at Newcastle adult day program, and Susan Haines, who's the program director for the same organization.

At the celebration, what touched me the most was Mary Kocur of the Newcastle program, who, by the way, was the first person to register for the adult day program, a person who otherwise couldn't get about in their community without the special supports in the community of my riding of Durham.

Out of respect for Elizabeth Witmer and for our community, I'm just here to say thank you for making things work, for giving people programs like the day program in Newcastle. We have to look at the positive things and it's up to us to recognize what's going on in our communities.

MPP BACK TO SCHOOL PROGRAM

Mr Gerard Kennedy (Parkdale-High Park): It's my pleasure to rise and report to the public of Ontario that a majority of the members of this Legislature care enough about education to spend some of their time visiting schools, and I think that's good news. We in fact have been able to get commitments and action from 36 Liberals, 14 Conservatives and three New Democrats. The important thing for the people who are watching us to wonder is, "What about the other 50 MPPs?"

How can we get them to also show their concern for students and go back to school? How can we get them to agree—because I'm sure they do agree that spending a day in school is a higher standard. It is more than calling upon them to cut ribbons and visit schools and so on, and I credit Mr Arnott for having done this already. But I think all MPPs will agree that Ontario students are worth the effort of having that higher standard. I encourage the public to go to the Web site, www.OntarioLiberal.com and look at the grade we've given to their members. They've got an A, B, C, D or F, depending on whether or not they are putting out the energy and effort to make sure the turmoil taking place in our schools doesn't scare

them, that they're not afraid of what's going on in their communities, they want to be part of the solution.

We still have time because next week of course is constituency week and the 50 MPPs who have failing grades will be able to pull those up with some industrious effort. We'd like to believe this isn't a case of being incorrigibly truant; it's just a question of needing some encouragement from their constituents, and I'm sure that will be forthcoming.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Tony Martin (Sault Ste Marie): Yesterday I asked the Premier in this House to explain to us what he was going to do where the Ontarians with Disabilities Act is concerned, and he blamed the NDP. After six years in government, he continues to blame the NDP when in fact it's the Premier himself who has reneged on his promise to bring in an Ontarians with Disabilities Act. He can't pin that blame on us. We've been calling relentlessly for a meaningful ODA to be tabled and passed in this House as soon as possible.

As a government, the NDP brought in a number of initiatives to identify and dismantle barriers for the disabled, including the employment equity bill, which promoted economic self-sufficiency for the disabled, women, racial minorities and aboriginal people, but it was one of the first bills the Harris government revoked.

The Advocacy Act was introduced by the NDP to help vulnerable adults assert their rights and to participate in making decisions about their lives. Again, the Harris government dismantled that piece of legislation.

The NDP government introduced accessible GO Transit rail service at 18 key stations and mandated one car per train to be accessible with up to eight locations for mobility devices.

The NDP government mandated that all transit buses purchased or leased after July 1, 1993, had to be low-floor and fully accessible, and a number of other very progressive programs for the disabled.

We want to warn the Premier right here and now that if he dares to table the draft legislation that was recently leaked, able and disabled Ontarians alike will be howling from the rooftops. This government should realize right here and now that Ontarians deserve a meaningful Ontarians with Disabilities Act.

WARKWORTH PERFECT PIE CONTEST

Mr Doug Galt (Northumberland): If you wanted to find the perfect pie, where would you go? Many might say, "Just ask the Prime Minister; the perfect pie seems to know how to find him." But I have a better idea: the annual perfect pie contest this Saturday in Warkworth. At the 21st annual perfect pie contest, it's no problem finding the perfect pecan, apple or chocolate pie. The contest is held at Warkworth's town hall, also known as the centre of provincial pie-making artistry.

While it's the kind of place the Prime Minister likes to avoid, there's no doubt in my mind the town hall will be packed with bakers, tasters and hungry people like myself, as previous winners and new contestants vie for the prestigious honour of baking the perfect pie.

Since the Prime Minister won't be there, I can assure you it's safe for CBC reporters too: no danger of a Shawinigan handshake or a pepper spray there.

The best part, as always, is eating the pies when the winning entries are auctioned off, and still more pies are served to the public.

The entire event is sponsored by the Warkworth Order of the Eastern Star, chapter 279, and proceeds go to Garratt's Island farm retreat and Camp Trillium, a support centre for children and teens who suffer with cancer.

I commend the organizers for all their efforts and I encourage everyone who doesn't have plans on Saturday to join with me and my constituents at Warkworth's perfect pie contest.

TAMIL COMMUNITY

Mr Gerry Phillips (Scarborough-Agincourt): On Saturday night, the Canadian Tamil Youth Development Centre, CANTYD, will be having their second annual Awards of Excellence banquet. I was there last year, as well as the Honourable Hilary Weston, our Lieutenant Governor. This was a group of totally outstanding Tamil students and some Tamil community leaders. On Saturday there will be another excellent group of leaders from the Tamil community.

Last Friday I was fortunate to be at a graduation at L'Amoreaux Collegiate, a school in the area I represent. The top two students were students whose background is Tamil. They came to Canada from a background of Tamil. Tamil student after Tamil student is now at university becoming a doctor or lawyer or another profession. The valedictorian was from the Tamil community.

The reason I mention that is we read about Tamil gangs today. According to the police there are perhaps 200 Tamils in these gangs. There are 200,000 Tamils here, so one out of 1,000 is in the gangs; I just want to remind all of us that 999 of them are not in gangs. They are decent, hard-working people. They are community leaders. As I said, at the collegiate I was at, the two very top students were from the Tamil community, the valedictorian, and many of those going on in university.

Today, while we read about the gangs, I want to remember the other 999 out of 1,000 who are decent, hard-working people here in Ontario.

NEWMARKET BUSINESS EXCELLENCE AWARDS

Mrs Julia Munro (York North): I rise today to speak about an exciting event that I attended in my riding of York North on October 25: the Newmarket Business

Excellence Awards hosted by the Newmarket Chamber of Commerce, an organization that has deep roots in the town of Newmarket.

The chamber's five award winners are: for building an enterprise that has brought renown to Newmarket, Pickering College; for developing international trade, Burnside International Ltd; for extraordinary business achievements, Time+Plus Electronic Timekeeping; for community relations and support, the Era Banner; the posthumous award was given in memory of Donald Sutherland.

Donald Sutherland was a Scottish miller who recognized Newmarket's business potential as a railway town. After the railway arrived in 1853, Sutherland purchased the mill pond and river flats, and in 1856 erected the largest flour mill in the area, capable of grinding 100,000 bushels of wheat per year.

Sutherland was always active in community affairs. He was a justice of the peace, a school trustee and a member of the board of licence commissioners. He was elected the first reeve of Newmarket in 1858 and was a councilor until 1874. He was also the founding president of the Newmarket Board of Trade, forerunner of the Newmarket Chamber of Commerce, in 1857.

Congratulations to the Newmarket Chamber of Commerce and the award winners for an excellent event and for 140 years of service.

1340

EDUCATION LABOUR DISPUTES

Mr John Gerretsen (Kingston and the Islands):

Over the last few weeks, I have delivered thousands of letters from the students in my riding pleading with the Minister of Education to take steps to end the current crisis in secondary school education. Today, I have another 1,500 letters that come from Frontenac Secondary School, making that over 5,000 individual letters I have now delivered to her.

High school students in the Kingston area and elsewhere in Ontario have not only been denied the educational benefits of extracurricular activities but are now losing the benefits of additional academic help from their teachers as well. There is no denying that our students are being hurt tremendously in this labour dispute.

With only six weeks left before final exams, this may put some students at risk of losing their year.

Minister, you, the teachers' federations and the boards of education must all collectively realize the tremendously damaging and perhaps lasting effects of the decisions you have taken on the students and their future in Ontario.

Minister, this not about you or me, the teachers' federations or the boards of education. It is about the future of our students. You took the unilateral action that precipitated the current crisis in secondary education. As so aptly stated in a Whig-Standard editorial on October 31, you have "the ultimate responsibility to students, teachers and the people of Ontario for the public educa-

tion system." You "should accept full responsibility for the provincial government's dictatorial role in education and bargain with the teachers" so our children can get the full and proper education they need and deserve.

PETERBOROUGH ECONOMY

Mr R. Gary Stewart (Peterborough): The creation of new jobs ensures a good-news story. A recent announcement in my riding of Peterborough involves jobs, approximately 500 of them.

AmeriCredit Corp of Fort Worth, Texas, has recognized that we are open for business in this province. They have chosen to relocate their service centre to Peterborough in a competition with over 60 communities in the United States and Canada. An investment of approximately \$50 million will be a boost to Peterborough's economy.

As well as the Greater Peterborough Area Economic Development Corp, the city and the county of Peterborough, and especially our Ontario government under the direction of the Minister of Economic Development and Trade, the Honourable Al Palladini, were very involved in attracting this company to our province.

AmeriCredit is one of the leading consumer finance companies in the world. Its growth projections are to \$15 billion over the next 18 months. This is truly an opportunity for the citizens of Peterborough for gainful employment with a successful company. It means jobs for our young people.

On behalf of my constituents, I would like to congratulate AmeriCredit Corp on their choice of location in my riding and in this province. I personally welcome them to the city of Peterborough.

LEGISLATIVE PAGES

The Speaker (Hon Gary Carr): Just before we begin, I would like to remind all the members this is the last day for our pages, and I was wondering if our members could thank our pages for the wonderful job they have done. They did a fine job, and I'm sure their families are all very proud of the work they've done.

INTRODUCTION OF BILLS

ELECTION SIGNS ACT, 2000

LOI DE 2000 SUR LES PANNEAUX ÉLECTORAUX

Mr Galt moved first reading of the following bill:

Bill 136, An Act in respect of election Signs / Projet de loi 136, Loi concernant les panneaux électoraux.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement.

Mr Doug Galt (Northumberland): This bill, if passed, will prohibit the display of election signs until 25 days before a municipal election. Further, it prohibits the display of provincial election signs until the writ for the election or by-election is issued.

ROAD USER CUSTOMER SERVICE IMPROVEMENT ACT, 2000

LOI DE 2000 SUR L'AMÉLIORATION DES SERVICES OFFERTS AUX USAGERS DE LA ROUTE

Mr Turnbull moved first reading of the following bill:

Bill 137, An Act to permit the Minister of Transportation to delegate powers and duties and responsibilities to deliver program services with respect to road user safety to persons in the private sector / Projet de loi 137, Loi permettant au ministre des Transports de déléguer à des personnes du secteur privé des pouvoirs, des fonctions et des responsabilités pour fournir des services liés à des programmes en matière de sécurité des usagers de la route.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I seek unanimous consent to have the minister give a ministerial statement to more fully explain the bill and allow the opposition a chance to respond.

The Speaker: Is there unanimous consent? I heard some noes.

The Minister of Transportation for a short statement.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: I think if you asked again—I don't think I did hear a no, actually.

The Speaker: I was just checking with the table to make sure my hearing was OK, and I confirmed there were some noes. Just so we know, we can ask one more time, though. Just before the member does his point of order, could we also clarify the timing, that if it is a yes, it will be during ministerial statements.

Mr Duncan: Speaker, I seek unanimous consent of the House to ask the minister to deliver a ministerial statement during ministerial statements that will also allow the official opposition and the third party to respond to the minister's statement.

The Speaker: Is there unanimous consent? Agreed? Agreed.

Now, the Minister of Transportation for a short statement.

Hon David Turnbull (Minister of Transportation): To meet the challenges of improving customer service, I am pleased to introduce the Road User Customer Service Improvement Act. The bill, if passed, will allow the ministry to examine alternative service delivery of selected ministry services, including driver examination services.

This bill reflects our government's intention to focus our efforts on setting and enforcing standards, developing policy and managing services. We believe this initiative will lead to better customer service for Ontarians.

FAIR PARENTAL LEAVE ACT, 2000

LOI DE 2000

SUR LE CONGÉ PARENTAL ÉQUITABLE

Ms Martel moved first reading of the following bill:

Bill 138, An Act to amend the Employment Standards Act with respect to parental leave / Projet de loi 138, Loi modifiant la Loi sur les normes d'emploi à l'égard du congé parental.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

Ms Shelley Martel (Nickel Belt): Today I'm pleased to introduce the NDP's Fair Parental Leave Act. Our bill amends section 40 of the Employment Standards Act to increase the number of weeks of parental leave from 18 to 35. This is in addition to the 17 weeks of maternity leave guaranteed to the birth mother.

The Employment Standards Act establishes the right to take parental leave with job protection for most workers. The bill is necessary to guarantee Ontario's parental leave provisions are in line with the new federal government's parental benefits, which go into effect December 31. The bill protects Ontario families from losing their jobs if they decide to take the full-year leave.

This is a fair, just and practical way for MPPs to support Ontario's working families, and I encourage the support of all members.

LABOUR RELATIONS AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL

Mr Stockwell moved first reading of the following bill:

Bill 139, An Act to amend the Labour Relations Act / Projet de loi 139, Loi modifiant la Loi sur les relations de travail.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1352 to 1357.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hardeman, Ernie	O'Toole, John
Baird, John R.	Hastings, John	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Palladini, Al
Beaubien, Marcel	Johns, Helen	Runciman, Robert W.
Clement, Tony	Klees, Frank	Spina, Joseph
Cunningham, Dianne	Mariand, Margaret	Sterling, Norman W.
Dunlop, Garfield	Maves, Bart	Stewart, R. Gary
Ecker, Janet	Mazzilli, Frank	Stockwell, Chris
Galt, Doug	Molinari, Tina R.	Tsubouchi, David H.
Gilchrist, Steve	Munro, Julia	Turnbull, David
Gill, Raminder	Mushinski, Marilyn	Wettlaufer, Wayne
Guzzo, Garry J.	Newman, Dan	Wood, Bob

The Speaker: All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	Marchese, Rosario
Boyer, Claudette	Dombrowsky, Leona	Martel, Shelley
Bradley, James J.	Duncan, Dwight	McGuinty, Dalton
Bryant, Michael	Gerretsen, John	Parsons, Ernie
Caplan, David	Kennedy, Gerard	Peters, Steve
Christopherson, David	Kormos, Peter	Phillips, Gerry
Churley, Marilyn	Kwinter, Monte	Ruprecht, Tony
Cleary, John C.	Lalonde, Jean-Marc	Smitherman, George
Colle, Mike	Lankin, Frances	
Cordiano, Joseph	Levac, David	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 36; the nays are 28.

The Speaker: I declare the motion carried.

The Minister of Labour for a short statement.

Hon Chris Stockwell (Minister of Labour): I'll be making a statement.

STATEMENTS BY THE MINISTRY AND RESPONSES

MINISTRY OF TRANSPORTATION SERVICES

Hon David Turnbull (Minister of Transportation): There are over eight million drivers in Ontario today—more than there have ever been at any other time in our history. With record numbers of drivers, my ministry faces a significant challenge to meet the demand for services.

Interjection.

Hon Mr Turnbull: I hear one of the opposition chirping away about—

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I rise with respect to standing order 33(c), which states, "On the introduction of a government bill, a compendium of background information shall be delivered to the critics of the recognized opposition parties. If it is an amending bill, an up-to-date consolidation of the act or acts" should be appended to it. None of

those things have been appended to this compendium, Mr Speaker, and I would ask you to review this at the appropriate time.

Hon Norman W. Sterling (Minister of Inter-governmental Affairs, Government House Leader): On the point of order, Mr Speaker: I don't understand the other House leader. A compendium has been delivered; he has the bill. We're in complete accordance with the rules, as I understand it.

The Speaker (Hon Gary Carr): We'll check it out further. In the meantime, the Minister of Transportation. Sorry for the interruption.

Hon Mr Turnbull: The ministry will meet this challenge through the legislation I have introduced today. The road user customer service improvement bill will allow the ministry to examine alternative service delivery options for selected ministry services.

In 1999, our government made the Blueprint commitment to use alternative service delivery to provide equal or better service to the public where it is safe, practical and cost-efficient. The bill I am introducing today reflects our government's intention to focus our efforts on setting and enforcing standards, developing policy and managing services.

This proposed legislation supports the ministry's intention to seek an alternative service delivery agent to provide driver examination services. Today, we're sending a message that our government and the Ministry of Transportation take customer service very seriously.

Road safety remains my ministry's number one priority. For that reason, we will continue to establish and enforce high standards. We will continue to monitor and ensure compliance with the existing legislation. And we will audit the performance of any new service provider to ensure that driver examinations are delivered efficiently, effectively, fairly and consistently.

I believe this initiative will lead to better customer service for Ontarians.

LABOUR LEGISLATION

Hon Chris Stockwell (Minister of Labour): I am pleased to have introduced legislation earlier today which would strengthen workplace democracy, promote workplace stability and encourage investment in Ontario's construction industry.

During the last election campaign we made a commitment to workplace democracy. We pledged to strengthen the rights of individual workers to decide whether they want to be represented by a union. Today we are keeping that promise.

Union members pay dues and they deserve to know where their money is being spent. Our proposals would require disclosure of the salaries and benefits of all union officials earning in excess of \$100,000 annually.

Many workers feel they should be able to reject a first contract offer without going on strike. Our proposals would ensure that employees' true wishes are respected

by requiring separate votes for ratification and strike action in first-contract situations.

Currently, information on decertification is in short supply in the Ontario workplace. Unions do not provide this information, and employers are forbidden to do so. The result? Many workers have no idea how to go about decertifying their union. Our proposal would make it mandatory for neutral, factual information on decertification to be posted in every unionized Ontario workplace. We will expand the time period when decertification applications can be made from 60 to 90 days at the end of a collective agreement.

Many employers are telling us that the productivity of their workplaces is affected by repeated, unsuccessful union drives. To aid workplace stability, our proposal would introduce a one-year cooling-off period between failed certification drives.

The government's throne speech made a commitment to improve competitiveness in the construction sector. The cost of building in Ontario must remain competitive if our province is to maintain its fair share of new construction.

Today we are proposing to make three fundamental changes to ensure the continued health and vitality of this sector. If passed, they would:

(1) Allow employers who do not sell construction services, such as municipalities and school boards, to remove themselves from the construction provisions of the act. This would enable them to tender projects to both union and non-union contractors.

(2) Permit project agreements to apply to multiple and future projects developed within the terms of the agreement, thereby eliminating the need to negotiate a new project agreement for each specific construction project.

(3) Protect non-union employers hiring unionized employees on the project from certification.

Labour legislation is an important part of this government's economic plan for the province. Today's reforms are another step forward in making Ontario a competitive place for future investments.

The Speaker (Hon Gary Carr): Responses?

Mr Dominic Agostino (Hamilton East): I'm pleased today to respond to the Minister of Labour. I know we're not responding to the Minister of Labour because, let's make it clear: this legislation is driven by the Premier's office. He's pulling the minister's string here. This is made-in-Mike-Harris's-office legislation and nothing else. I know the minister doesn't believe this, because this is too radical, too far even for Chris Stockwell. This is Mike Harris legislation, and Mike Harris solely.

This is not about workplace democracy. What this is all about is attacking the labour movement. What this is all about is finding another enemy, creating another crisis, finding another target. This is what it's all about, Minister. You're attacking the most marginal, non-unionized workers in this province. You're attacking low-income workers. You're creating a crisis where one doesn't exist.

Minister, what you're doing today is declaring labour war. You're declaring war on the labour movement. You're basically saying to the labour movement, "We're going to war with you again." Let me tell you, the labour movement is going to fight back. You're basically destroying the peace that now exists in the construction industry. We're doing well in Ontario. There's labour peace in construction. Why are you intent on destroying that?

Let me remind you: you clearly have forgotten about history in this province. You forgot about the late 1960s and early 1970s. You forgot about the disruptions, the violence, the bloodshed that occurred on construction sites, and that's what led to the legislation we have today. You are now throwing us back to that era again. You are risking here; you are playing with fire.

Let me tell you what else is at risk. This is a sobering thought. Last year in the construction industry, 18 out of 20 deaths occurred on non-unionized construction sites. Remember that, Minister: 18 out of 20 deaths. There is a 250% greater risk for people to get injured on non-unionized construction sites than there is on unionized. Not only are you driving lower wages here, not only are you helping your friends in the corporate sector, you are putting the lives and the well-being of construction workers at risk by this regressive piece of legislation. The stats speak for themselves. They don't lie: 18 out of 20 construction deaths last year on non-unionized sites. You argue with those figures; you argue with those statistics, Minister.

Labour legislation should be all about balance. There is no balance here. You admitted in your scrum today that this was a request from business. You made it clear that this was what business asked you. This policy was not set up in the cabinet room. This was done in the boardrooms of Bay Street to appease your rich corporate friends, to appease your contractor friends. Minister, you and your government are in the back pocket of the big contractors, you're in the back pocket of big business, and this legislation makes it very clear where you're coming from.

1410

You're making it harder to unionize marginalized workers. You're making it harder for unions to get organized where the most vulnerable workers in our society exist today. You're making it easier for your corporate friends to decertify unions. This is a serious, serious attack that you're launching today, and you want to ram it through, and you're going to ram it through very quickly, again, as you continue to do that.

Your business friends are happy. You got a standing ovation today a number of times when you were speaking to the management lawyers. Of course. It was perfect. The management lawyers who represent big business, whom you spoke to today, were thrilled with this legislation, but the average working man and woman who's affected by this, construction workers, low income earners who hope to get unionized, who hope to get decent wages and decent benefits, you're attacking them today.

But you're managing to do one thing through this. You're managing to unite construction workers, union workers, public service workers from one end of the province to the other and they're going to fight this disgusting piece of legislation that you've brought forward. This is a disgrace. This attack was not necessary. You are declaring war and, let me tell you, you are going to lose this war. This is not about workplace democracy. This is about screwing the labour movement, and you're going to pay a hell of a political price for this.

MINISTRY OF TRANSPORTATION SERVICES

Mr Mike Colle (Eglinton-Lawrence): I thought the Minister of Transportation today was going to announce a plan to do something about the gridlock that exists from Ajax to Aurora to Ancaster. Even on Sundays we have gridlock on the 401. The only thing people can do now is to go to the 407, where they're ripped off by those toll fees. This minister is the true minister of gridlock.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton West): I was at the announcement today, unlike labour leaders, who of course were locked out of the room. It was a private luncheon, delegates only, paid for by employers and their legal representatives, and that's where the minister chose to make this announcement. There were labour leaders from the Ontario Federation of Labour, whom this minister purports to care about, right there outside the door who wanted to come in and listen to the announcement about the laws that are going to affect them and their members, and they were denied it, denied a chance to even be in the room.

As my colleague has already said, his speech was interrupted a number of times with applause, and even a standing ovation, but it was a roomful of employers—all employers. Yet afterwards the minister in his scrum said, "This is a reasonable bill. It's fair. It brings balance back. We care about workers and their rights." Yet by his own words he admitted there is not one thing, not one, in your labour proposal today that labour asked for. He admitted everything that's in this bill was asked for by employers. Shame on you, Minister.

I heard you say that really you don't know how anybody could argue these things; they seem so fair. Let me say to you that when you focus everything on decertifying unions, you're going after workers and their rights. Let me put this to you: if you think it's so fair to post all the rules and regulations and information about how to decertify a union in a unionized shop, are you going to stand in your place and tell us you're going to pass a law that rules about how to bring a union into a workplace where there isn't one? That's fairness. That's balance. This is neither.

Let's just take a look at what you're doing under decerts. You're ensuring that the information is there on

how workers can go about getting rid of their union, which of course your employer friends are thrilled with, you've extended the period of time when the decertification process can begin and you've also extended the ability of the labour board—in fact, the labour board has to hear a decert before they hear the arbitration request in a first contract.

Add those three things up and this is all about busting unions, getting rid of unions and taking away workers' rights.

Let me just say—and I'm not going to spend a lot of time on this, because it's more a joke than anything—you lead all your documents with this sunshine clause that you're going to put a light on all those union bosses who are secretly getting wealthy on the side. Listen—

Interjections.

Mr Christopherson: See, they believe that. That's what you think about labour leaders. The fact of the matter is that virtually every union in their constitutions divulges very clearly what their union leadership is all about. Let me say this to you: if you ran Ontario with half the democracy with which the labour movement runs the labour movement, we'd be a much better province.

You talked about fairness to workers. John Cartwright made the point that because you changed the law, where there's an organizing drive right now—under our laws there was real fairness. Workers who were fired during an organization drive had an expedited hearing within days and could be back at work if it was found the employer fired them because of the organizing drive.

You have now changed that process to the point where workers at Drycore who have been fired for organizing have been waiting almost a year to have their case heard. There's nothing in here about democracy. This is all about taking care of your friends and taking away workers' rights. You ought to be ashamed, and you ought to be ready for one hell of a war.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: Now that the Deputy Premier is here, I'd like to request unanimous consent to have the Deputy Premier announce that Frank Sheehan is now the Minister of Labour of Ontario.

The Speaker (Hon Gary Carr): Unanimous consent? I heard some noes.

VISITOR

The Speaker (Hon Gary Carr): In the members' east gallery there is a former member, Mr Harry Pelissero from Lincoln, a member of the 34th Parliament. Would all members please welcome our former colleague.

REMEMBRANCE DAY

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: As you know, the House will be adjourning this evening and not returning until November 14. As Remembrance Day, November

11, comes between those two dates, I would like to seek unanimous consent for one member from each party to make some remarks regarding Remembrance Day, and perhaps after that, Mr Speaker, you could call for a moment of silence.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Mr Jerry J. Ouellette (Oshawa): It is with great pride that I rise today as a 23-year member of the Oshawa Naval Veterans Association to speak on behalf of the government—and I thank those who have given me the opportunity—and to speak regarding the 11th hour of the 11th day of the 11th month, Remembrance Day.

Many take for granted that all know the protocol for military events, that a blue blazer and grey slacks are to be worn, except of course the traditional green blazer by the Korean vets; as well, that the poppy is to be worn closest to the heart, on the left side, and to be the highest insignia on the lapel.

It was when I was first elected that I expressed my concern that the youth of today may never know that which we try so hard never to forget.

The events have to be told so that the youth of today know the sacrifices made by so many for the life we enjoy today in Canada. It's the youth who must know of the battles fought by the Joe Harts of Oshawa in the Sicilian and Italian campaigns during World War II. I must add, Mr Hart is the only remaining survivor of that company.

Or the battle fought by Mr Henry Price, Oshawa's last World War I vet. Mr Price was a communications officer who travelled behind enemy lines during World War I signalling back enemy activity. While behind those lines, he heard a voice from the next foxhole and jumped into it, capturing an enemy soldier. Mr Price was so very proud of capturing that enemy soldier that he kept his helmet to remind him of that day.

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Henry Price was a man who fought in our country's nation-recognizing battle, Vimy Ridge, and survived. I might add, to this very day, along the road on Vimy Ridge the locals regularly gather spent bullets and leave them in pails by the roadside for tourists to gather as souvenirs of that historic Canadian battle. Henry Price was a man who survived not only Vimy Ridge but being blown up by a land mine in Dieppe, a man who illegally enlisted at the age of 16.

These are the events that must be passed on from generation to generation.

One event I would like to share with all is one of a Polish immigrant who came to Oshawa, a man who never owned a car and never missed owning a car, a man who during the Russian Revolution was the chief constable in a small town outside the Polish capital near the Russian border. He was working in a hayfield with his brother when the Bolsheviks rode in, oppressing all forms of democracy. They rode into the field and, upon finding out who the chief constable was, drew their swords and

proceeded to attempt to sever the head of the chief constable. His life was saved when his brother raised his rake and stopped the sword from going any farther than the several inches it had already penetrated. While the chief constable crawled off, his brother argued with the Bolsheviks how his brother was a good man and should be spared.

The constable reached his mother's house, where she and his sister sewed him up. He proceeded that night to hide in the town's graveyard. The only way his life was spared was when it began to rain and it washed away the blood trail the Bolsheviks were following.

That man came to Canada and ended up in Oshawa. Later he fought for his beliefs in Canada during World War II, where he was captured by the enemy and served his time, not in a prison camp as we know it, but at the Vatican for the Pope.

This was a man who, when he finally passed on, was buried with that sabre scar, a quiet man—the bishop attended his funeral—a man whose story needs to be told; a man whose story will be told and remembered by his great-grandchildren, my sons, Joshua and Garrett.

These are the events that must be passed on to the youth of today. Whether it's the events just mentioned or peacekeeping in Bosnia, the Korean War or the Middle East, these events must be passed on to allow all to know of the sacrifices made so we may continue to have the life we enjoy in Canada today. Mr Speaker, we will remember them.

Mr Monte Kwinter (York Centre): As we approach Remembrance Day, we remember the more than 1.5 million Canadians who served overseas in the two World Wars and the Korean conflict. More than 116,000 Canadians lost their lives while serving in overseas campaigns, and we remember their supreme sacrifice.

"Lest we forget" is the clarion call to all who experienced the actual events of these wars and for those who, even though they have not experienced a time of war, are beseeched to remember in the hope that these horrors will not be repeated and that the deeds of those who served their country and, in all too many cases, died for their country will not be in vain.

I would like to share a personal remembrance. Flying Officer Samuel Kwinter was my first cousin. He enlisted in the Royal Canadian Air Force on June 19, 1942, at the age of 21. After his training as an air bombardier, he was posted to a Royal Air Force squadron, central Mediterranean forces, where he completed his tour of duty.

Although he could have returned to duty in Canada, he opted to stay with his squadron. His plane was reported missing on August 21, 1944. For the duration of the war, our family was left with the hope that by some miracle he had survived. The official report of the mission is titled *Circumstantial Report on Halifax Aircraft #JP228. Missing from Operations on Night of 21 August 1944*. The crew consisted of Pilot Officer T.B. Sparrow, who was the captain and the pilot; Flying Officer C.H. Sparks, the navigator; Flight Sergeant R. Patriarca, operations; Flight Sergeant R.G. Curtis, the flight engineer; Flight

Sergeant D.J. Heath, the tail gunner; Flying Officer S.N. Kwinter, air bombardier; Flight Sergeant N.S. Yates, mid upper gunner; and Flight Sergeant J.G. Evans, air bombardier.

The report continues:

"The above aircraft, captained by Pilot Officer Sparrow, took off from Amendola at 1940 hours on 21st August 1944 on an operation against the oil storage installations at Szony, Hungary.

"No messages or distress signals of any kind were received from the aircraft after takeoff, but other crews of the squadron reported seeing three aircraft shot down over the target. As three aircraft of the group were missing from this operation, it seems probable that JP228 may have been one of the aircraft shot down and that the entire crew is missing and presumed dead." End of report.

In fact three of the crew, Flying Officer Sparks, Flight Sergeant Curtis and Flight Sergeant Patriarca had bailed out. They were taken as prisoners of war and returned safely to Canada after the war.

On interrogation, they stated that the aircraft was shot down just north of Lake Balaton, Hungary, but could give no further information regarding the aircraft or its crew.

In 1950 the Missing Research and Inquiry Service of the Royal Air Force undertook an investigation and reported that only three bodies were recovered from the scene of the crash and were buried in Bakony Bank cemetery.

The bodies were subsequently moved to the Budapest British military cemetery. Flying Officer Kwinter, aged 23, was the only member identified and buried in plot 1, row c, grave 1. The two unknown belong to this crew but were unidentifiable and could not, therefore, be connected with any of the remaining four missing members and were buried in plot 1, row c, grave 2.

The names of the four missing members were recorded on a general memorial to the missing. Three members were safe. Case closed.

The case was closed from an administrative point of view, but these cases will never be closed for the thousands of relatives who in their hearts and minds remember the loss of their loved ones, young men and women serving in a far-off land in the defence of our country. May their memory be for a blessing. Lest We Forget.

Mr Peter Kormos (Niagara Centre): I'm proud to speak on behalf of New Democrats here at Queen's Park as we recognize yet another Remembrance Day, November 11, 2000.

Like all of you, like every member of this Assembly, I will be joining veterans, legionnaires, members of the public, the sons and the daughters and the grandchildren of the veterans who served in the First World War, the Second World War and the Korean—no, it was no conflict—in the Korean War. I'll be joined as well by service people in our own community who have served under the blue beret as part of Canada's contribution to peacekeeping services internationally and have served with

distinction and, I tell you, have brought great pride to all of us.

Just the other day I was over at the Lincoln and Welland Regiment, at their regimental headquarters at the armouries in St Catharines, with the promotion of a new regimental sergeant-major. Mr Bradley was there as well. We were told once again of the great role that the Lincs and Wincs, the Lincoln and Welland Regiment, played in Europe during the course of the Second World War.

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Lieutenant Colonel Jim Swayze, a Wellander who I knew as a child, and his son Chuck were there. Chuck told me how in 1946 he was but three years old and he stood with his mother's hand in his watching his father, Lieutenant Colonel Swayze, lead the Lincoln and Welland Regiment from the St Catharines train station to the St Catharines armouries. I could just begin to sense and feel the remarkable pride and relief of those parents and spouses and children and other family members of those soldiers returning from Europe. One could also not help but sense the sadness that must have permeated that crowd of people down in Niagara, spouses and parents and children, as soldiers who didn't return were made noteworthy by their lack of presence in that ensemble of troops marching from the train station to the St Catharines armouries.

I regretted reading today of the denial to the Lincoln and Welland Regiment of permission for a modest contingent of about 30 of their youngest members to go with the Lincs and Wincs to Europe to bury one of their own whose remains have been identified. I use this opportunity, I tell you, to encourage all those who can to stand with me and with the Lincoln and Welland Regiment on this issue to encourage that the full contingent of 30 that is requested is indeed sent to Europe to honour one of their veterans and one of their brothers.

In the First World War, Canada was but nine provinces, with a population a fraction of what it is now. In the Second World War, still but nine provinces, with a population of just around 10 million people. Old men start wars; young women and men fight them. The people who served in the forces in World War II, as they were in World War I, were young women and men from some of the smallest towns throughout western Canada, throughout the east coast, and yes, down from Niagara, proportionately represented as its proud history reflects.

They were young men, for many of whom a shaving kit had no relevance. They were teenagers, many of whom had never been outside their county, never mind their province or their country. They came from some of the smallest towns and some of the most difficult and poorest backgrounds. They were the sons and daughters of immigrants, and many of them were immigrants themselves. Whether it's in France or in Italy or in Holland, Canadian troops in the Second World War were at the forefront of brave young women and men who liberated a continent and who restored democracy as a result of their successful struggle against Facism.

In Korea, and I want to reiterate, no conflict—talk to a Korean veteran and what they describe in the cold and the muck is not illustrative of mere conflict; that was a war. Korean veterans, aging too. We have but a handful of First World War vets. We still have our Second World War vets, but as we join them annually, and in between Remembrance Days—we join them also in summertime on Decoration Day—we find them getting more stooped and greyer and older. We find once again, as we join them in these rituals and in these celebrations, that the faces we saw and recalled from last year are no longer there, are no longer with us.

That's why I want to take a moment to express particular pride in the youth groups and youth organizations like the Air Cadets, Navy Cadets, Army Cadets, Boy Scouts and Girl Guides, among others, that participate down in Niagara like they do in your communities in these Remembrance Day celebrations. They participate with dignity and with a sense of passion about the important role that that ritual—yes, it's a ritual we celebrate on November 11 or on days about that.

I'm going to be in Fenwick, Ridgeville, Fonthill, Thorold and in Welland at their respective cenotaphs as wreaths are laid and brief comments are made. And we'll be joined by our firefighters and by our police forces and by our OPP. But we'll also be joined by these youth groups that, again I tell you, we should be promoting, encouraging and supporting, because it's these young people who bear increasingly the responsibility to recall the incredible sacrifice of their grandparents and great-grandparents. It's upon them that that responsibility increasingly rests as these veterans age and leave us by virtue of the passage of time.

There's not one of those vets whom I've talked to, and I'm confident not one whom you've talked to, who has ever glorified war or who has ever reflected fondly on the responsibility of having to participate in warfare. There's not one of them who doesn't shed a tear still, 40 and 50 years later, at the recollection of a lost comrade or the comrade who returned home with them without limbs, without sight, without arms.

We have young women and men in our armed forces today who continue to serve internationally. We find these young women and men serving with commitment and discipline and passion in our armed forces and serving in some of the most dangerous places in the world, yet we continue to send them there with broken tools and weaponry and other resources that, as often as not, are no match for the opposition they have to face. We have also relegated our armed forces personnel to poverty levels of existence in terms of the levels of pay they receive.

So as we engage in the ritual around Remembrance Day, let's also reflect on the great contribution and sacrifice of our sisters and brothers in our communities, our young women and men who are, just as their parents and grandparents were, among the best and the brightest. Let's reflect on the fact that they serve with great sacrifice and let's commit ourselves to ensuring that we

have armed forces personnel who are adequately equipped and who receive fair wages that reflect the incredible danger and risk they endure and the suffering and struggle their families must undergo as families of military personnel.

One more: our merchant marine, once again women and men who fed Europe, who kept Europe supplied, who were among the 14-, 15- and 16-year-olds who travelled in convoys from the port of Montreal, from the port of Toronto, from Quebec City, and who endured some of the most disproportionate levels of casualties. They suffered the depths of the cold, deep Atlantic. They were so often, through no fault of anybody, forced into these convoys unassisted because of the nature of the enemy, with minimal military support as they made these incredible sacrifices.

I want to again state that we should use this Remembrance Day to recall our merchant sea people, to reflect upon their great contribution and to ensure that they acquire, as they deserve and as they have earned, the stature of Canadians who have served their country and served humankind during those wars, World War I and especially World War II, and as well in the degree to which they participated or were involved in any number of ways, although far more minimally, during the Korean War, because of the nature of the geography.

I join with you. I speak on behalf of New Democrats in this Legislature. I speak with great pride at the heritage that we have inherited from these great Canadians, these youngest of women and men from the smallest of towns who, with the lowest of personal ambition, achieved some of the greatest of victories and glories.

The Speaker: I would ask all members and our friends in the galleries to rise for a moment of silence.

The House observed a moment's silence.

The Speaker: I thank all members and our friends in the galleries. It is now time for question period.

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ORAL QUESTIONS

LABOUR LEGISLATION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Labour. Minister, I guess there really is no time like the present to create a crisis. We're wondering over here why it is that you over there have this aversion to stability and good relations. Let's just think about it for a moment. You've got a crisis now ongoing in our schools. We've got a crisis when it comes to health care. We've got a crisis in the environment. People are afraid to drink the water. We've got an economy now that's firing on all eight and a half cylinders. When it comes to the construction issue, we are renowned worldwide for the quality of our work and the safety of our workplaces.

So the question I have to put to you, Minister, is, why is it now, when it ain't broke, that you're trying to fix it?

Why is it that you want to take all the other areas of crisis and create a new one here in labour relations in Ontario?

Hon Chris Stockwell (Minister of Labour): First, I guess the reason we're firing on all cylinders and the reason the economy is booming is because this government has passed progressive legislation that has allowed workers, employers and people of this province to go out there and work. We've got hundreds of thousands of jobs created. We've had many, many people go off welfare because of that kind of legislation.

The fundamental difference we have is that you suggest this legislation is creating a crisis. My position and the position of this government is that it's a good, progressive piece of labour legislation that will buy us prosperity in the future, maintain the jobs we've created and build an Ontario that we all may be proud of.

Mr McGuinty: First of all, Minister, let's be honest about the prosperity we're enjoying here today. It's a North American phenomenon and it is not of your creation.

Second, if you want to talk about differences, you're for lower wages and higher profits for the contractors. We're for higher wages and higher profits for the contractors. We want a win-win. You want a win-lose. That's the real difference. We want to race to the top. You want to race to the bottom.

We've had 25 years of peace and stability when it comes to labour relations, by and large, here in Ontario. Why do you want to turn the clock back? Why do you want to introduce a new crisis into labour relations in Ontario?

Hon Mr Stockwell: Let's get a couple of things clear off the top. The province of Ontario is outperforming every G8 nation in the world. The province of Ontario is outperforming any province in this country. The province of Ontario is driving the economy in this country of Canada. Why? Because of good, progressive labour legislation, because of good, progressive tax positions, because of lower taxes, more jobs, fewer people on welfare. What do you call a win-win? We call a win-win hundreds of thousands of jobs created, hundreds of thousands of people off welfare. Everybody's doing better today because of this government. I call that a win-win.

Mr McGuinty: The minister is making my case for me. If everything is working so well, why do you want to try to fix it? It ain't broke, Minister. Why do you have to screw around with it?

The question I've got for you is very direct. Why is it that you want to introduce this legislation and who in particular is insisting that you move forward with this? We're not hearing this from the people in the labour sector. We're not hearing from them. I'm talking about our bricklayers, our millwrights, our labourers, our pipefitters, our carpenters, our joiners, our metalworkers, our roofers, our plumbers, our electricians. None of those people have told me they want to move forward with this kind of legislation.

Tell us now, Minister, who has given you your marching orders to bring Ontario to its knees when it comes to labour instability?

Hon Mr Stockwell: The marching orders were given to us by the people of Ontario. They're the people who give the marching orders.

Who's moving on this change? The people of Ontario asked for this kind of change. We campaigned on this change. These changes were in the Blueprint commitment. The thing about this government is, and I hear it from all parts of this province, that when we make a commitment, we deliver, and we're delivering on labour reform today.

Who's going to benefit from this? Let me tell you something. I think the people who benefit from this are the employees and the members within the union rank and file. They're the ones who get—

Interjections.

The Speaker (Hon Gary Carr): Members, come to order. Ten seconds to wind up.

Hon Mr Stockwell: They're the ones who get the benefit, because I think it comes to a point in time where rank-and-file employees should be able to decide by a vote whether they want to be in or out of a union. What's wrong with that? It's democracy.

EDUCATION ISSUES

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Education, but back to the former minister for moment. It would have been nice had he been able to bring the same kind of passion and energy when it came to extending parental leaves for expectant mothers in Ontario, at no cost to the province, by the way.

Minister, whether you're a parent or a teacher or a student, things have never been this bad in our schools. The Ontario principals' association tells us 76% of our schools now find themselves in a state of turmoil. What that means is that our kids are paying a terrible price for your gross mismanagement of the education file.

Minister, knowing now what a terrible mistake you have made—you have plunged our schools into a perpetual state of crisis—will you now sit down in a genuine spirit of co-operation with parents and teachers and trustees and principals and superintendents and students and try to work this thing out in the interests of our children?

Hon Janet Ecker (Minister of Education): What mistake would the honourable member be referring to? Perhaps the new, more rigorous curriculum? Perhaps the new, standardized report card? Perhaps the new funding for special-needs children, for extra help for students who are struggling with the new curriculum? Perhaps amending instructional time for teachers so that our high school teachers are not teaching any more or less than teachers across the country? What mistake would it be that the honourable member would like to have corrected?

Mr McGuinty: I'd suggest to the minister that she respectfully stop just looking at her own press releases and pick up a newspaper from any community in this province. What you have effectively done is you took a

problem that was found inside two boards and you transferred it to 72 school boards. You took a problem that affected some 90,000 children and you've transposed it now so that it affects over one million of our children. We are plunged into a state of permanent instability when it comes to our schools.

In June of this year, every single group involved in education—parents, students, teachers, trustees, superintendents and principals—wrote to you, Minister. They said Bill 74 is going to present us with a terrible problem. It was unprecedented for these groups to come together like that, and they presented you with an unprecedented opportunity to sit down together and work something out that was going to be workable in the end and actually be in the interests of our children.

Why did you forgo that opportunity, and why do you continue to this very day to refuse to sit down with all of the education partners and work this out in the interests of our kids?

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Hon Mrs Ecker: Again, my jaw is on the desk at the depth of the inaccuracy or the depth of incompetence of Liberal research. The honourable member should know that I sit down on a regular basis with students, with parents, with teachers' federations, with school board representatives. That is part of my job and I do it on a regular basis. It is something I committed to do when I was sworn in as minister. It is something I will continue to do for as long as I have the privilege of sitting in this chair.

Secondly, I wrote to all of the trustee associations just last week. We are continuing to meet with all of the education partners to talk about not only the challenge with extracurricular. I'd like to ask the honourable member, where was he when some teachers were choosing to deny students Remembrance Day ceremonies? Where was he when some teachers were not providing the letters of reference—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

Mr McGuinty: This is really just too much. You would have us assume responsibility for the crisis that you've created in Ontario education today?

Let's just take a look at some of the facts and figures which this minister is so quick to dismiss and simply doesn't want to recognize. Teachers are quitting in record numbers. Young teachers are quitting. Last year, 4,414 teachers left the profession for reasons other than retirement. Some 76% of our schools have lost their extracurricular activities; 66% of our schools report that students are having to share their textbooks; 20,000 students are waiting to be assessed for special education, but the number of our schools with a full-time psychologist is down 38%.

At a time when your own test results tell us that our students aren't doing particularly well, isn't it time that you took your head out of the sand, that you put down the hammer and that you sat down for the first time ever in a way that is totally uncharacteristic for you and your

government? Isn't it time that you sat down with parents and teachers and students and the other education partners and worked something out in the interests of our students and put this crisis behind us?

Hon Mrs Ecker: If the honourable member would take his own advice, he would know that what parents and students and teachers are asking for are things like a new curriculum that really helps our students achieve what they need to achieve when they leave. Parents have been asking for a standardized report card that tells them how well their students are doing. They are asking for testing so they know that the schools are doing the job.

You know, it's interesting. This is the party that said we didn't have anything to fix; there was nothing that needed to be changed. When the test results, as the honourable member points out, show that we still have more to do to help our young children achieve, he says, "Oh," you know? Come on. The reason we test is because we need to know how well we do so we can fix the problems. Parents and teachers and students will tell the honourable member they want accountability in the system, they want to know what is happening in their school, they want to know where the money is going so—

The Speaker: Order. The minister's time is up.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton West): My question is to the Minister of Labour. You've said repeatedly that the labour amendments you've introduced today are progressive and are meant to be fair. I want to put that to the test right now.

Part of your proposed legislation is that employers will post in unionized shops the rules and procedures and information on how to decertify a union. I want to ask you now if you're prepared to announce that you'll make a further amendment that in non-union shops you will ensure that employers post all the information, legalities and rules around the process of bringing a union into a workplace.

Hon Chris Stockwell (Minister of Labour): Let's understand the legislation as it presently is today. In a unionized workplace, the union does not provide information on decertification. The employer is not allowed to talk about decertification with their employees. Therefore, no information is disseminated in unionized workplaces to give the employees the option of choosing to decertify or to unionize. In the non-union sector there are no such provisions. It's open and free for any union to go in there, apply for organization and file with the Ontario Labour Relations Board. The big difference is that in unionized workplaces, the unions don't tell people how to decertify and the employer can't tell them how to decertify. All we're saying is, gee, that would be nice if you just gave them that bit of information. It sounds fairly reasonable to me.

Mr Christopherson: Let me say to you, Minister, it sounds anything but reasonable. The fact of the matter is,

this is all about helping the employers get rid of the unions and it's about your role in helping them do it. In non-union shops I'd like you to give me an example of one employer that goes around advising their employees about what their rights are vis-à-vis joining a union. Give me one example. You won't be able to do it. The fact is that it is totally unequal. Anyone outside watching this can appreciate that you are loading things and stacking them in favour of the employer, against the union.

Instead of asking you that question again—

Interjection.

Mr Christopherson: You're going to answer whichever way you choose, but I want to ask you this. Again, back to fairness: you said in answer to a previous question that workers benefit in your legislation. I'd like you to explain to construction workers how no longer getting contracts where union workers are being employed, where they have higher benefits, higher wages and a higher safety record in terms of going home in one piece at the end of the day, how eliminating those union shops from working on construction sites, as your bill is going to allow, improves anything for workers. Tell me how that's fair.

Hon Mr Stockwell: What the bill does is simply this: it suggests to municipalities and school boards that presently have in law a restriction that says hard-earned taxpayers' money may be only tendered for work to unionized companies—what's fair about that? Some 81% of the people out there don't work in a unionized company. But if you want to take taxpayers' money, tender a contract, you think it's fair that you can only tender it to a unionized shop. I don't think that's fair. My taxes are as good as your taxes. I can do the job better. I should get the job, and just because I'm not a union should never exclude me.

Mr Christopherson: First of all, as I understand your legislation, it's not just municipalities and school boards; it's banks, and the last time I saw the profit line on banks, they don't need any further help from you.

Let me say something else. Those unionized workers—you just want to argue where you don't think things are fair. Let me tell you something. The labour movement acquired the rights and the privileges and the benefits because of hard work, sacrifice and putting their jobs on the line, and you have no right to unilaterally take those away. There is nothing in this legislation that's fair for workers. It's all about busting unions and helping your employers.

I would like you now to stand up and tell me, since you're so peacock proud of this legislation, commit today that you're going to take this critical, important, far-reaching piece of legislation and put it to the people of the province, and let us know that there are going to be public hearings. You shut labour out of the meeting today. Only employers were allowed to attend the announcement today; OFL reps were left outside. Minister, tell me you're going to give us public hearings on this bill.

Hon Mr Stockwell: I will stand here today and give you an undertaking: I will have as much public hearings

on this bill as you had on the social contract. Speaking about far-reaching labour legislation that gutted collective agreements—not one second of public hearings—I'm not sure you should be lecturing anybody on public hearings for labour legislation.

Secondly, I'll tell you something: it's not just the employers out there who are saying that unions and those who represent them, are not fair and reasonable. I've read that Mr Hargrove also suggests that the process today about changing union memberships, about who you get represented by, doesn't work. So there's a union leader who doesn't agree with it—a big union leader. So before you start coming to me that you've got a position that's all together, why don't you talk to Mr Hargrove.

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PARENTAL LEAVE

Ms Shelley Martel (Nickel Belt): I have a—
Interjections.

The Speaker (Hon Gary Carr): Stop the clock. The member for Scarborough Centre and Scarborough East, come to order.

Ms Martel: I have a question for the minister responsible for children, who has just left the chamber. I wonder if she can come back?

The Speaker: Stop the clock. She was here just a second ago.

Ms Martel: For the Minister responsible for children's issues: today I tabled the NDP's Fair Parental Leave Act. Our bill provides a fair, just and practical way for all MPPs to support Ontario working families and their children. The bill increases parental leave from 18 weeks to 35, and it brings Ontario in line with the new federal parental benefits, which go into effect on December 31. It protects Ontario families by guaranteeing that those parents who take the full year leave will not lose their job as a result.

Minister, this is a matter of fairness and justice for Ontario working families. As minister responsible for children's issues, can you advise whether your government will support our bill?

Hon Margaret Marland (Minister without Portfolio [Children]): I am the minister responsible for children, but I'm referring this to the Minister of Labour.

Hon Chris Stockwell (Minister of Labour): I appreciate the question from the member opposite. At this point in time we're discussing with the affected communities the impact of the bill, the impact of the legislation. We have given an undertaking that we will take a position and pass legislation, if necessary, before January 1, 2001. We're not suggesting we're going to block the decision; we're simply taking time to consult with the affected communities.

Interjection.

Hon Mr Stockwell: I will say to the member opposite, and the one chirping, that we will, in fact, take a position and have it before the House and make sure that

it's in place, if we're going to change it, before the law that comes into effect, which is January 1, 2001.

I don't think it's unreasonable to go out and discuss the issue with those communities that are affected.

Ms Martel: Minister, I certainly hope that outside of your business friends who you've been talking to, and that's reported publicly, that you will talk to affected families in the province as well.

British Columbia and Quebec have already extended the parental leave protection, and Nova Scotia, with a Conservative government, has recently announced that it will do the same. There is no just, fair or legitimate reason for Ontario not to. There's no reason you can't announce that today.

You know that under the current law, families are only afforded 18 weeks of protection. Ontario workers, moms and dads, need to know that if they take the full year leave they will not be penalized and they will not lose their jobs, as a result of making a critical decision to stay home with a newborn or a newly adopted child.

Minister, the issue is simple: will you extend parental leave to 35 weeks in this province so that Ontario families will know they will be protected if they take a full year off?

Hon Mr Stockwell: With great respect to the member opposite, I appreciate the fact that you believe the issue is simple, and I'm not suggesting your motivation or your issues. What I'm suggesting to you is this: to some people in this province it isn't quite as simple as you state it to be. There are a number of employers out there who are making deputations to us—

Interjections.

Hon Mr Stockwell: The members opposite are saying, "Oh, so you're listening to employers." We're listening to everybody. Why shouldn't we listen to employers? That's what I ask you. We have given you the undertaking, very clearly, that come January 1, 2001, we will have a decision before this Legislature. We're simply listening to the affected groups.

I know you mentioned three provinces that have gone forward on this, but what you left out is that all the other jurisdictions are doing exactly what we're doing. They're doing the responsible and reasonable thing, discussing with affected groups how this legislation will impact them and if—

Interjections.

The Speaker: Minister of Labour, take a seat. Stop the clock. The member for Scarborough East, you can't be shouting across, and the member for Toronto-Danforth as well.

Mr Steve Gilchrist (Scarborough East): It's Scarborough Centre.

The Speaker: Scarborough Centre; I apologize. Minister of Labour, sorry for the interruption.

Hon Mr Stockwell: When the decision comes out and you don't like the decision, that's the time to have the debate. It can't be implemented today. It can't be implemented tomorrow. It's implemented January 1, 2001, according to the federal government. We will have a

decision then. I don't know why it is you can't accept that as reasonable.

EDUCATION ISSUES

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. I want to ask you about this export you brought us from the Durham region, what can only be called now the Ecker standard of lower-quality learning. The Ecker standard, at work for 60 days in this province, has deprived students of sports in Burlington, of participation in the math contest in Brockville, of all kinds of things that are supposed to be part of what you promised last spring would be there for the students of this province. Your Ecker standard is arbitrary; it means that one third to one half of the students at any time have teachers who have 25% more students to deal with, to prepare for, to mark, to test.

The parents need to know. You're offering them a lottery as to whether the teachers their students get are going to be overworked and overloaded or not. Some of them are going to be in classes—one school has 50 of these classes—where the courses are split between two and three teachers.

Something positive needs to be done. Students are struggling in class. Teachers are quitting in record numbers. Will you, tomorrow, sit down with the education partners and come up with the solution to the Ecker standard, the mess you put in our schools?

Hon Janet Ecker (Minister of Education): What the honourable member is asking us to do is to interfere in collective agreements.

Mr Kennedy: Even in areas where collective agreements have been arrived at, the Ecker standard prevails: low-quality conditions. Some 4,400 teachers quit last year for reasons other than retirement, 23% more than the year before. Six hundred student teachers didn't register to teach in this province; they went elsewhere, 50% more than the year before.

Your standard has caused Paul Jaffray of Burlington Central High School, in business studies, to retire three years earlier than planned. He'll pump gas or deliver pizza to make up the income shortfall. Felix Russo, a math head in Etobicoke, is quitting two years early. Dave Neelin—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Order.

The member for Parkdale-High Park.

Mr Kennedy: It's funny to the members opposite; this is nothing humorous to the students who are being deprived under this Ecker standard.

Dave Neelin—14 years at Etobicoke Collegiate, wrote 12 new courses, participated in extracurricular every one of those 14 years—quit last year because of the Ecker standard that you brought in.

Minister, I challenge you. Will you meet with the partners tomorrow? Will you come with me at 4:30 today and meet with the students who are coming here to ask

you to change the Ecker standard, and next week, in constituency week, will you come with me to a school in your riding and see what's really going on?

Hon Mrs Ecker: I don't need the permission of the honourable member to meet with parents, teachers and students. I do that as part of my job.

One of the reasons that some teachers may not have come to Ontario to be employed is because some unions think they should blackball this province. Some think they should go out and tell those teachers they shouldn't come here. That's really helping our students, I've got to tell you. I disagree with the honourable member on that one.

Second, there are literally thousands of people applying to teachers' college because they see it as a wonderful job. That is why we've expanded teachers' spots, the other thing even the Canadian Teachers Federation said, that we've been getting more teachers who are coming to Ontario because they want to teach in our system.

We were elected to set higher education standards. We were—

The Speaker: Order. I'm afraid the minister's time is up.

1510

FEDERAL SOCIAL UNION AGREEMENT

Mr John Hastings (Etobicoke North): My question is directed to the Minister of Training, Colleges and Universities. Nearly five years ago this month, our current sleeping esteemed Prime Minister almost lost us this great country with the Quebec referendum. Arising out of that crisis, which was a real national crisis at the time, was a promise by the federal government that it would negotiate person-power training programs with all the provinces and territories. Today, all those territories and provinces have negotiated agreements in place to help their workers, to help their employers, yet Ontario is still being discriminated against by the current Grit government.

Why is it, Minister, that this is still occurring in a country that's supposed to be practising Pearsonian co-operative federalism?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): I'm pleased to respond to the question from the honourable member. He is quite right that we are the only province the federal government has refused to sign a training agreement with. It is a very unfortunate situation, because all of us are concerned about people who deserve to have this training.

With the EI payments that we have made here in Ontario, it's very unfortunate. Ontario residents sent \$4.3 billion more to Ottawa in EI payments than they got back in training—or other services, I might add. Of the massive EI surplus, fully two thirds was paid by people in Ontario. These are employers and workers who indeed pay more than 40% of the nation's EI premiums.

Where were the Liberals in Ontario encouraging the federal government to sign a training agreement with this

province? I can tell you right now that, paying 40% in EI premiums, only 28% was offered—

The Speaker (Hon Gary Carr): The minister's time is up.

Mr Hastings: My supplementary concerns the role of the official opposition leader and the critic from Hamilton Mountain. Since they seem to agree that the federal Grit government would be great for Canada, I would like those members to stand in their place today and fight with the minister and this government to get the \$600 million deprived by Ottawa and needed for upgrading and training for the workers in this province.

Interjections.

Mr Hastings: That would include the member for High Park-Parkdale to join us. We never hear anything about this from those folks. When are you going to join us and get that \$600 million, especially the backbencher there from Kingston and the Islands?

Hon Mrs Cunningham: In response to my colleague, we worked very hard in Ontario to work with the federal government and other governments across this country to sign the social union agreement. It was signed in good faith to help governments work more productively together. It is very disappointing—

Interjections.

The Speaker: Would the minister take her seat. Member for Hamilton East, come to order, please. She's 10 feet away and I still can't hear her.

Sorry, Minister.

Hon Mrs Cunningham: It's very disappointing to know that in the social union agreement we did come to a conclusion around a tool that could be used to help governments work more closely together—to my colleague I say that we did write a letter to Jane Stewart, we did ask her to take a look at our position, we asked her to put the federal government's position on the table, and the answer was no. It's very disappointing, in these times when people are looking for accountability, that the federal Liberals have not signed an agreement with the province of Ontario. We will work to get that agreement signed with the federal government because we need it for our workers and we need it for our employers and we need it for our young people and we need it for jobs.

EDUCATION LEGISLATION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My question is for the Minister of Education. Before I was elected to this House, I was the chair of a school board, so I know what it is to be an advocate for students. I've worked with teachers, students, parents and unions for the benefit of children.

I am concerned, I'm saddened and I am angered that your government has created an untenable climate within school communities. Your prescriptive legislation, Bill 74, has placed unreasonable workload expectations on teaching professionals and has restricted local boards' ability to negotiate.

The Durham disease is now impacting students in my riding and has divided school communities that have never experienced this kind of unrest before. Under your watch, the morale within schools has reached an all-time low, whether you want to admit it or not. Like you, I talk to teachers and to students. I visit schools, and that's what they are telling me. It's not the teachers' fault, it's not the boards' fault and it's not the unions' fault. It's your fault. You've created the crisis. It's time that you deal with it. Will you put kids first today and give boards the flexibility they need and the resources they need to solve this problem today?

Hon Janet Ecker (Minister of Education): I can only assume that the honourable member has not read the legislation. Certainly boards have flexibility in terms of how they meet provincial frameworks, provincial standards.

Interjection.

The Speaker (Hon Gary Carr): Order, the member for Hamilton East. We're not going to continue with you shouting across. Last warning and then we ask you to leave.

Hon Mrs Ecker: Let's be clear on what the Liberal Party seems to be saying. They seem to be saying that it is not appropriate for provincial governments to set a standard for instructional time in classroom. They're saying it's not appropriate for teachers in high schools in Ontario to do, on average, four hours and ten minutes a day in classroom. That is totally consistent with what happens in other provinces across this country. Thirdly, boards have flexibility about how they want to allocate that time and how they want to bargain. In some boards and some agreements they are choosing a way to do that that is most designed to inconvenience the teacher and most designed to inconvenience the student. That is their choice. Finally—

Interjection.

The Speaker: Order. Minister, take your seat, please. Supplementary.

Mrs Dombrowsky: I can't believe you're standing in this House and presenting that Bill 74 is not to blame for what's happening in our schools today. Never before has teachers' morale been so low. Never before have boards been so restricted by your laws. Never before have students been so broadly affected. You have created this crisis.

In today's Kingston Whig-Standard there is a quote from Mr Frank Reinholz. He's a member of a school council, and these are his words: "Everybody keeps talking about how important the kids are, but the Minister of Education has sat on her behind and done nothing but keep saying she didn't create the problem."

I've worked with these people. They live in my community. These are good people who have been moved to desperate measures because you won't listen to them. Your policies are dividing our communities and poisoning our school environment.

Will you do the right thing for our kids? Will you give boards the flexibility and the resources they need—not

what you say you've given them in Bill 74, but what they need to solve this problem?

Hon Mrs Ecker: There is more money available to the education system this year, yet again an increase in money. Secondly, what the honourable member wants us to accept is that for a classroom standard that is totally consistent with what happens across the rest of this province, that is worth denying students recommendation letters for scholarships, denying students opportunities that might lead to jobs, that might help them learn better, denying students parent-teacher nights. The honourable member wants us to accept that over 20 minutes a day we should tolerate that kind of withdrawal of services for our students.

It's not on. Those students deserve those services. They're part of the education system. Those students are right to be frustrated, and we believe they should have those services.

1520

AFFORDABLE HOUSING

Mr John O'Toole (Durham): Today my question is to the Minister of Municipal Affairs and Housing. Just as I start here, each of us is keenly aware of the importance of shelter in our lives. I was speaking to one of my constituents, Robert Pinheiro, last week and he brought up this issue. Minister, I understand that you and Minister Baird today made an important announcement with regard to the issues of homelessness and affordable housing in our province. Would you please inform us of what your announcement was all about?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I'm pleased to let the member know and indeed this House know that today, along with Minister Baird, our government announced that the province will be donating the former Princess Margaret Hospital to the city of Toronto. The site is, I think it's worthy of recognition, 1.45 acres of land. This is a multi-million-dollar initiative that will provide up to 500 rooms that could be used to provide shelter for the homeless or to create 200 affordable housing units. With today's announcement, I believe we're making a major step toward meeting our commitment that the Premier made of 500 units of affordable housing.

I can tell you that our government is committed to practical solutions that are going to make a difference. The rhetoric we can leave to the opposition, but the practical solutions are with this government.

Mr O'Toole: I applaud you and Minister Baird for making the tough decisions. I know I can only speak for my constituents, but the answer is out there that they support this decision.

But somehow I'm confused. Also today I've been listening for some time to Mr Caplan—

Mr David Caplan (Don Valley East): Oh, come on.

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Member for Durham take his seat. The member for Don Valley East, your last warning.

Member for Durham, sorry for the interruption.

Mr O'Toole: I remain somewhat in a dilemma on this. I listen to Mr Caplan from Don Valley East every day, and he just doesn't seem to get it, and that's not surprising. Quite honestly, I also listened to the member from Toronto Centre-Rosedale, Mr Smitherman, with another Liberal announcement today which sort of contradicts the goodwill, that you're trying to help the people who need help. That's clearly what I hear.

Interjection.

Mr O'Toole: My question is, do the Liberals want shelter for the homeless? That's the question before us. Do the Liberals have any—

The Speaker: Member for Durham take his seat. The member for Toronto Centre-Rosedale, come to order, please.

Mr O'Toole: We can hear the barracking. The Liberals clearly don't have a plan, so perhaps you could explain the vacillating position I have to listen to every week. We're supporting homelessness—

The Speaker: Order. The member's time is up.

Hon Mr Clement: It is indeed a very curious day. Sometimes politics gets curiouser and curiouser. Our government has been working hard, and the announcement today goes to show we're serious about finding solutions. What I find appalling and shocking is that the Liberal Party is not applauding this announcement today. We had the member for Toronto Centre-Rosedale criticizing the announcement because it's in his riding.

Interjection: NIMBY.

Hon Mr Clement: It could be called NIMBY, but it could be called BANANA, build absolutely nothing anywhere near anyone. That's what I hear from the honourable member. Perhaps the honourable member from Don Valley East is the flip and perhaps the honourable member for Toronto Centre-Rosedale is the flop, or maybe it's the other way around. Perhaps this is the time for the honourable Leader of the Opposition to get hold of his caucus to join with us to strike out the prejudice against homeless shelters. I appeal to the honourable Leader of the Opposition to tell his caucus to do the right thing and support this worthy homelessness initiative.

KING'S HEALTH CENTRE

Ms Frances Lankin (Beaches-East York): My question is to the Solicitor General. Since you're in charge of the police investigation, I want to explore what is hampering your government's ability to answer key questions about the King's Health Centre.

We asked about queue-jumping—it's a contravention of the Canada Health Act—and your government refused to answer. We asked about OHIP fraud and your government refused to answer. I've tried to look for an explanation for this silence, and one of the places I looked is your party's corporate financial contribution return. Here's what I found: the King's Health Centre Corp has given \$22,000 to your party. Do these monies form part of the police investigation?

Hon David H. Tsubouchi (Solicitor General): The member clearly knows the matter is under investigation. Obviously we can't answer questions about the investigation right now. Surely you should know that by now.

Ms Lankin: I want to know whether the public should be concerned about your party's relationship to the King's Health Centre and our inability to get answers to relevant public interest questions.

Your party's relationship is spelled out in black and white: \$22,000. It includes central party donations as well as donations to some individual Conservatives, like Minister Palladini and Minister Wilson. Perhaps coincidentally your government won't answer any questions. People want to know whether there was a contravention of the Canada Health Act. They want to know whether public money was stolen by a private, for-profit company.

If the health ministry or the police find that OHIP money was stolen, will your party return the \$22,000 given by King's Health Centre to the public purse?

Hon Mr Tsubouchi: I thought I was patently clear. The matter is subject to a police investigation. You must know, surely, by all the time you've been in this Legislature that we can't answer questions about an ongoing investigation. It's clear, always has been that way and will continue to be so.

SPECIAL EDUCATION

Mr Ernie Parsons (Prince Edward-Hastings): My question is to the Minister of Education. I would like to believe that you truly care about children, so I want to use this opportunity to tell you about a young kindergarten student in my riding who is in a class of 21. This girl has a serious but invisible disability. She has Dandy-Walker syndrome, preventing her from being able to focus on any specific task without help, she also has shunted hydrocephalus, which causes pressure to build up within her brain and, lastly, she unfortunately has a latex intolerance which causes major reactions when she's in contact with this material. This girl requires massive support and help to function at school. Under the ISA process which your ministry put in place, your bureaucrats believe that she deserves 15 minutes a day of support. That means, while the teacher is tending the other 20 students in the class, someone comes in to work with her for 15 minutes a day. This school applied for 4.0 ISA grants and got 1.5.

If our children are to truly flourish, then the education for our children must be absolutely barrier-free. Minister, will you remove this funding barrier that you've constructed for ISA grants and allow children to be able to function at the level they deserve?

Hon Janet Ecker (Minister of Education): First of all, there is no barrier in the ISA grant. The ministry does not decide what supports that child should get in order to meet her educational goals each year. That is something that quite rightly is decided between the principal, the teacher and the parent. That is something that we require

the parent to be involved in, that there be an annual education plan that sets out what that student should get.

We've put more money out in special education this year, the third year in a row, a 12% increase. The reason that money is out there is because of the meetings we had with parents, with school boards and with teachers to talk about how to improve special education in this province. They said they needed better-quality standards for the programs that were provided to our young people. They said they needed more money. They said they needed more flexibility in terms of how that money was used. We have done all of those things and will continue to work with our partners to make sure those special-needs children get what they deserve in the classroom.

1530

Mr Parsons: Minister, I understand it's your job to blame others for cases such as this. However, at the end of the day it is you who are responsible for implementing the Premier's directives on special education, and you will be held accountable.

Parent after parent has described to me the under-service that's being provided to their children with special education needs. I daily get copies of letters that have gone to you with parents detailing what they require for their children and what's been denied.

Minister, the reality is that the total amount of money that went into special education from school boards and from the province together was more than the money that is going in now from just the province. The parents' challenge and their plea to you is simple: will you pledge today to fund all the special education needs at the rate they need and deserve?

Hon Mrs Ecker: First of all, I don't know what Premier's directive the honourable member is talking about. You and I would be the first to agree that a bureaucrat in my ministry, or I as the minister, or the Premier, or any one of us, has no business telling the principal, the teacher or the parent what works best for that child. We do not do that. That's why we have the process for an individual education plan where that can be put in place.

Second, the processes for funding are there to make sure that more dollars flow to boards that have higher needs. It is a process that has been recommended by people who were involved in providing special education. They said that we need to have a way to recognize higher needs students that boards have—we have that in place—and that we also need to have better standards for what kind of programming is put in place—we are continuing to work on that.

LIQUOR REGULATIONS

Mr Joseph Spina (Brampton Centre): My question is for the Minister of Consumer and Commercial Relations. From time to time we hear stories about old laws still on the books that seem outdated by today's modern society. Some of these laws focus on liquor licensing and alcohol distribution in Ontario. Our govern-

ment's always been committed to making government work better for the people of our province. Could you please tell us how you plan to approach some of these outdated laws, particularly now with my role as the new chair of the Red Tape Commission. How would some of these outdated laws fall within your ministry's jurisdiction?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): Even though we've accomplished a great deal in revamping liquor laws over the past five years, we still bump into laws that don't seem to make any sense. I was recently told of about a charity fundraiser in Toronto that operated under a special occasion permit. At the end of the evening the organizers had about two dozen bottles of unopened very expensive wine that they were advised had to be opened and poured down the sink. It couldn't be removed from the premises. That's not just a terrible waste of good wine; it is also a glaring example of a law that needs to be reviewed.

Mr Spina: Thanks for the example. You mentioned the special occasion permits. I wonder why, under this permit, people are only allowed to consume alcohol until 1 am, when in any bar or restaurant it can be served until 2 am. Isn't this another example of an out-of-touch or outdated rule?

Hon Mr Runciman: I agree that it is. There's a very long list of rules and regulations that call out for a review. I've asked the Alcohol and Gaming Commission of Ontario to undertake a common sense review of liquor laws, regulations and rules, to conduct a consultation and report back to me early in the new year. It is clearly time to ensure that our liquor laws make sense and meet the real needs of consumers.

CAPITAL FUNDING

Mr David Caplan (Don Valley East): A question for the Minister of Education: These are 200 letters from concerned parents at St Timothy school in Don Valley East. St Timothy has 11 portables. Let me tell you about the conditions. Nearly 40% of the children are housed in old portable classrooms, including over 60 children with special needs and physical challenges. The portables are poorly lit; they're cramped; they're poorly heated. Several students have doctor's notes indicating that their asthma is becoming worse and acute since their placement in the portables. The washroom facilities for over 600 children at St Timothy are one washroom for girls and one washroom for boys, two for a school of 600.

The parents who signed these letters are asking you to provide the necessary capital funding to the Toronto Catholic District School Board to alleviate these deplorable conditions. Will you commit today to do what parents at St Timothy school are asking?

Hon Janet Ecker (Minister of Education): We have changed the way we fund capital in this province to give boards more ability to meet the challenges they have in terms of capital construction. As the honourable member

should also know, we are in the process right now of meeting with boards at the staff level, talking to them about their capital needs as we plan the next year's funding.

That is a process I committed to do with all our education partners, to sit down every year to talk about the priorities they have put forward for funding and to talk about how we can deal with that and help them meet their needs so that the school boards can make appropriate decisions. It's their responsibility, as it always has been, to make decisions around how they allocate dollars for classroom space and buildings and whatever. There has indeed been additional monies available for boards to make those decisions.

Mr Caplan: I'm going to ask the page to deliver to the Minister of Education these letters from 200 parents at St Timothy school because, Minister, your answer simply is not good enough. The \$5 million that you have committed for capital construction in all of Ontario—that's a joke, an absolute joke. Stop trying to pass the buck. Start living up to your responsibilities.

Parents at St Timothy know that you have taken full control of education in this province. These 200 families have had their children in these deplorable learning conditions for far too long. They want your commitment today that you will provide the necessary capital funding for St Timothy school.

Once again, Minister, on behalf of the parents, on behalf of the 600 students at St Timothy school, will you make that commitment? Will you give us your solemn word today?

Hon Mrs Ecker: I don't know where the honourable member's getting these figures. He must be making them up on the back of a match box. There is literally hundreds of millions of dollars out there in this province today for capital expenditures for school boards. We understand that there are some boards that have special challenges in terms of meeting their capital needs. I think parents are quite right to be concerned if a school that their child is in is not meeting appropriate standards. They quite rightly should be raising that with the school board.

We do provide additional monies for capital. We have topped this up in the past. I'm in the process now of having the meetings and the discussions and getting the information from school boards about where we should go for the next round of funding, because we understand that we have to be prepared to meet the needs that are out there so that our students can get a better quality education and we can enhance student achievement.

COMPOSTING AND RECYCLING

Mrs Julia Munro (York North): My question today is for the Minister of the Environment. While citizens of my riding enjoyed the festivities related to Halloween, they have concerns about the disposal of pumpkins. As I'm sure the minister is aware, there is a composting facility operated by York region that successfully diverts waste from landfills. Minister, can you tell members of

the House today what their constituents should do with their pumpkins?

Hon Dan Newman (Minister of the Environment): I'd like to thank the member for York North for her very timely question. Ontarians are concerned for the environment and this government shares that concern. In those municipalities with over 5,000 citizens, home composting programs must be in place. I would encourage Ontarians to take part in these municipal household composting programs. Already over one million Ontarians have backyard composters and they use them to compost their kitchen scraps and their lawn and garden trimmings. Now there are even composting units that can fit on balconies.

Alternatively, municipalities with over 50,000 citizens must have leaf and yard waste programs in place. I encourage those Ontarians who live in these municipalities to take part in these programs and ensure that any leaf and yard waste, like pumpkins, are properly disposed of.

Mrs Munro: As you may know, Minister, next week is waste diversion week. Garbage is a growing global problem and the concerned citizens in my riding want to know what else they can do to divert waste.

Interjections.

The Speaker (Hon Gary Carr): The member take her seat, please. Member for Parkdale-High Park, if you want to talk about the numbers you can probably go outside and do that. I know it's a well-behaved conversation, but it is annoying for the person asking the question.

Member for York North, sorry for the interruption.

Mrs Munro: Garbage is a growing global problem and the concerned citizens in my riding want to know what else they can do to divert waste. Will you tell the House today what additional steps residents of my riding can take to reduce the amount of waste going to landfills.

Hon Mr Newman: As you may know, next week is waste diversion week, and I encourage Ontarians to help divert waste from landfills not just next week but year-round. I would encourage everyone to be a conscientious consumer: to buy products with less packaging, to buy products that are recyclable, to use baking soda and other less stringent products for household cleaning, to minimize your purchase of disposable products and to participate in blue box or other municipal recycling programs.

You should contact your local municipal public works office for a list of recyclables being handled within your local municipality. You should also repair and reuse items; just don't throw them away. Have a garage sale or community bazaar and pass on any unused items to others. You can contact a local reuse centre and find out where you can drop off any unwanted items.

It's important that we all be environmental stewards in our own homes and personally take actions toward diverting waste in all of our communities.

1540

NORTHERN TRANSPORTATION

Mr Tony Martin (Sault Ste Marie): My question is for the Minister of Northern Development and Mines.

You will know that your predecessor shut down norOntair. When he did that he told the communities they shouldn't worry because the private sector would move in and pick up the slack, and they could do it and make a profit. But they soon found out that wasn't true, and your ministry was back in the picture again providing subsidy. Well, you've now cut the subsidy, and a whole whack of municipalities across northern Ontario are saying that this will affect their economy in a major way. Not only that, it could shut down their airports completely. If they do that, it means no health care by air for them.

Will you today tell those communities that you made a mistake, that your predecessor made a mistake and, at the very least, return the subsidy to the communities?

Hon Tim Hudak (Minister of Northern Development and Mines): I appreciate the question from the member for Sault Ste Marie. I've met with a number of northern municipalities on this issue since becoming minister. I would respond to the member the same way I have to those mayors: the province is committed to supporting transportation in northern Ontario. We know the importance of getting from place to place, whether for health care or for business or for tourism.

With respect to the airport subsidy, that was extended for a number of years to try to help those communities achieve consistent air service and to try to help them locate businesses to the communities. Some were successful and, unfortunately, some were not. The issue, though, is that some airports did have a subsidy and others did not. We received concerns from other municipalities that didn't have the subsidy complaining about the uneven playing field.

We're committed to helping businesses in northern Ontario. That's why we've invested a record \$260 million this year alone into northern Ontario highways to help support businesses, tourism and safe travel for local residents.

NOTICE OF DISSATISFACTION

The Speaker (Hon Gary Carr): Just before we begin petitions, pursuant to standing order 37(a), the member for Eglinton-Lawrence has given notice of his dissatisfaction with the answer given to his question by the Chair of Management Board Secretariat yesterday concerning the sale of properties by the ORC. This matter will be debated today at 6 pm.

PETITIONS

SPECIAL EDUCATION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I have a petition to the Legislative Assembly of Ontario.

"Whereas this government has reduced funding for Ontario's special education programs without regard to

the impact these changes are having on some of the province's most vulnerable children; and

"Whereas these special-needs students are now struggling with reductions in the amount of support they require with special education teachers, education assistants and classroom resources; and

"Whereas these high-need children thrive on consistency and routine and these disruptions in their educational support are negatively affecting their progress and self-esteem;

"We, the undersigned, petition the Legislative Assembly of Ontario to restore fair and equitable funding to special education so that parents and teachers can provide the best future for our children."

I wholeheartedly agree with this petition and very happily sign my name to it.

OAK RIDGES MORaine

Mr David Christopherson (Hamilton West): I rise to present a petition on behalf of my colleague Marilyn Churley from Toronto-Danforth, who is now rushing to a committee meeting as I speak. The petition reads as follows.

"To the Legislative Assembly of Ontario:

"Whereas the protection of the Oak Ridges moraine and other natural areas are vital to ensuring that Ontarians have a safe and plentiful water supply; and

"Whereas the Oak Ridges moraine is an environmentally sensitive area and is an important part of Ontario's natural heritage; and

"Whereas the Oak Ridges moraine is threatened by uncontrolled development that is destroying natural wetlands, forests, wildlife and groundwater; and

"Whereas it is important for the government of Ontario to have policies for the protection of the ecosystem and wetland areas; and

"Whereas Mike Harris and the government of Ontario have failed to protect the Oak Ridges moraine; and

"Whereas the policies of Mike Harris and the government of Ontario have threatened the Oak Ridges moraine and other natural areas in Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"1. Freeze all future development on the Oak Ridges moraine;

"2. To immediately hold public hearings on Bill 71, the Oak Ridges Moraine Green Planning Act."

On behalf of Marilyn Churley and my caucus colleagues, I gladly add my name to those of these petitioners.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): Thank you, Madam Speaker, and it's a pleasure to see the member in the chair. I think you suit it very well, I might say.

I've received a petition, just an enormous number from my riding as well as across the province of Ontario.

I'm very pleased, and it's my duty as a member, to read this to the Legislature and support it. I'm waiting for our House leader to support this as well. He's the person who has the keys.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked hard together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass"—John O'Toole's—"Bill 99 or to amend the Highway Traffic Act" which will enable vintage auto enthusiasts to use year-of-manufacture plates.

I'm pleased to sign, endorse and support and urge the government and all members to support this bill.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London): I have a petition to the Legislature of Ontario.

"Whereas 1.5 million Ontarians with disabilities face many barriers when they seek to participate in all aspects of Ontario life such as getting a job, using public goods, services and facilities such as health care and education; and

"Whereas Mike Harris promised in writing during the 1995 election to work together with the Ontarians with Disabilities Act committee to develop this new law, to be called the Ontarians with Disabilities Act, and to pass it in his first term; and

"Whereas the Ontario Legislature has unanimously passed three resolutions calling on the government to keep its promise; and

"Whereas the most recent resolution calls for a strong and effective Ontarians with Disabilities Act to be enacted no later than November 23, 2001; and

"Whereas there is an urgent and pressing need for a new strong and effective law to achieve a barrier-free Ontario for people with disabilities; and

"Whereas any further delay in passing the Ontarians with Disabilities Act to achieve a barrier-free Ontario for all people with disabilities will hurt all Ontarians;

"Therefore we, the undersigned,

"1. Call on the Ontario Legislature to make sure that the Ontario government keeps its 1995 election promise, and to comply with the three resolutions of Legislature and to pass a strong and effective Ontarians with

Disabilities Act as soon as possible to achieve a barrier-free Ontario for people with disabilities; and

"2. Call on the Ontario Legislature to ensure that there will be open, accessible public hearings on any new bill that is introduced, which will be held across Ontario, in which all who wish can participate, so that Ontarians with disabilities can have a meaningful voice in this legislation."

Madam Speaker, I want to thank Carol MacEachern of Mississauga for her efforts in bringing these names forward as more and more people across Ontario demand this important legislation, and I affix my signature to it.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): Again, I hope that I'm not the only one who's respecting my constituents by continuously reading their petitions. This one here was given to me by Gord Hazlett, Al Fisher and Ross McDowell. They're leaders in the antique speciality vehicle associations, the Model A Owners' Club and the Rouge Valley Antique and Classic Car Club. Again, I'm reading these petitions as fast as I can.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage automobiles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked hard together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act," which would allow vintage auto enthusiasts to use year-of-manufacture plates.

Again, I urge all members to take this seriously. It's something we can do; we're helping people. I'm going to sign this and support this, and I hope all members will.

1550

NATIONAL CHILD BENEFIT SUPPLEMENT

Mr John Gerretsen (Kingston and the Islands): I have a petition here that has been forwarded to me by the Action on Women's Addictions Research and Education Foundation in Kingston. It's a very short petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario claws back the national child benefit supplement from families on social assistance,

"We, the undersigned, petition the Legislative Assembly of Ontario to stop its discriminatory practice and return the national child benefit supplement directly to its rightful recipient—the family on social assistance."

This has been signed by approximately 100 individuals. I endorse it as well and have signed it. I'm handing it over to our page Willy Heeman.

REGISTRATION OF VINTAGE CARS

Mr Bob Wood (London West): I have a petition which appears to have growing province-wide support.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have further petitions from the CAW, forwarded to me by Cathy Walker, the national director of health and safety, on behalf of Buzz Hargrove and all their members. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

"That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

My NDP colleagues and I continue to support these petitioners by adding our names.

REGISTRATION OF VINTAGE CARS

Mr Joseph Cordiano (York South-Weston): "To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

I affix my signature to this.

FARMFARE

Mr David Christopherson (Hamilton West): I have further petitions from the United Farm Workers. Their representative Stan Raper has forwarded them to my office.

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits;

"Whereas the Harris government of Ontario has not provided any consultation or hearings regarding this initiative;

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7;

"Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario."

I proudly add my name to those.

REGISTRATION OF VINTAGE CARS

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

I am pleased to affix my signature to this petition.

HIGHWAY SIGNS

Mr John Gerretsen (Kingston and the Islands): I have another petition here which is addressed to the Legislative Assembly of Ontario. It states:

"Whereas the Mike Harris government has been spending hundreds of thousands of taxpayers' dollars on a provincial sign campaign accompanying highway construction sites which reads, 'Your Ontario tax dollars at work,' signed Premier Mike Harris;

"Whereas these signs serve no particular purpose except to promote the image of the Premier at taxpayers' expense;

"Whereas this kind of public relations exercise is a completely inappropriate waste of taxpayers' dollars and certainly is not a wise use of 'our tax dollars at work';

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation immediately remove all of these partisan highway signs from provincial highway construction sites across the province of Ontario"—

Interjections.

Mr Gerretsen: It would help if we weren't heckled when we have petitions on hand that have been signed by citizens of the province of Ontario. Let me just continue:

"Furthermore, we petition the Ontario Legislature to pass Bill 44, An Act to amend the Public Transportation and Highway Improvement Act to prohibit partisan highway signs, which, if passed, would prevent the Ministry of Transportation from issuing to the crown any permit to display a sign which contains the name or image of a member of the provincial cabinet or a member of the Legislative Assembly or a partisan message. (This private members' bill was introduced and passed first reading in the Ontario Legislature on December 21, 1999)."

It was introduced by my colleague Michael Gravelle. I agree with the petition and have signed to endorse it as such.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): I just want to pay my respect to the veterans who served in the wars to defend freedom and to recognize also the pages who have helped us and made it a more pleasant place to be.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection for the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using year of manufacture plates; and

"Whereas the Honourable David Turnbull, on the other hand, as Minister of Transportation has the power to change the regulations;

"We, the undersigned," and that includes me, "petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to" allow vintage auto enthusiasts to use year-of-manufacture plates.

I hope everyone will support this.

1600

BUSINESS OF THE HOUSE

Hon Dan Newman (Minister of the Environment): I have a statement of business of the House for the week of November 14.

On Tuesday afternoon, we will debate government notice of motion 70. On Tuesday evening, we will begin debate on Bill 139, the Labour Relations Amendment Act.

On Wednesday afternoon, we will continue with Bill 124, the Toughest Environmental Protection Act. On Wednesday evening, we will continue to debate on Bill 139, the Labour Relations Amendment Act.

On Thursday morning, during private members' business we will discuss ballot items 47 and 48. On Thursday afternoon, we will continue debate on Bill 139, the Labour Relations Amendment Act.

ORDERS OF THE DAY

IMITATION FIREARMS
REGULATION ACT, 2000LOI DE 2000 SUR LA RÉGLEMENTATION
DES FAUSSES ARMES À FEU

Resuming the debate adjourned on November 1, 2000, on the motion for second reading of Bill 133, An Act to

regulate the sale of imitation firearms / *Projet de loi 133, Loi visant à réglementer la vente des fausses armes à feu.*

The Acting Speaker (Mr Tony Martin): I believe the member for St Paul's is up.

Mr Michael Bryant (St Paul's): I am pleased to continue with this debate. I'm looking forward to the speeches from a couple of esteemed parliamentarians, and I'll be sharing my time with the members from York South-Weston and Kingston and the Islands.

Mr Joseph Cordiano (York South-Weston): I want to thank my colleague the member for St Paul's for such a high compliment. Being esteemed here is in short supply. It's not often the case, especially as far as the member for York-South Weston goes. But let me simply say how much I esteem the member for St Paul's for having brought forward the prior initiative of this legislation, the phony gun legislation.

Indeed, this government has followed with a bill that is almost entirely identical to the one the member for St Paul's introduced in private members' hour, Bill 67. This is not simply a case of saying we had it, we told you so, and now the government is doing something we had suggested they bring forward in its identical version. Of course, the member for St Paul's should be proud of his efforts in bringing forward this most-needed legislation, but it goes beyond just that. This debate goes to the very heart of what this government thinks about when it comes to dealing with crime. The real heart of the matter is, is this government truly committed? Is it really and truly looking out for the interests of all citizens in this province? Is it really going far enough when it comes to dealing with crime and solving the problem of crime?

I say that because this government has sent out very mixed messages when it comes to gun control. On the one hand, they're ready to support phony gun legislation, and I applaud that. On the other hand, they're not willing to support federal gun control legislation which, by the way, deals with real guns that are used in the commission of crimes. If you're willing to support phony gun legislation which requires that a record be kept of the purchase of such replica firearms—and in fact there is legislation now that the government has brought forward—then why can't the government support gun control legislation that requires the registration of guns when they're purchased?

There is simply no logic in this. It is illogical for the government to, on the one hand, support the phony gun legislation and, on the other hand, turn around and in fact go before the Supreme Court of this country and oppose gun control legislation as put forward by the federal government.

Mr John Hastings (Etobicoke North): It doesn't get to the problem.

Mr Cordiano: It certainly does get to the problem.

Interjections.

Mr Cordiano: I hear members barracking in the background. I am trying to point out very simply that it's quite illogical. The principles are the same. You cannot support gun control legislation that requires the regis-

tration of guns, the guns to be registered once they're purchased. These are real guns. On the other hand, when it comes to phony guns or replica guns, which we have proven are also very lethal and used in the commission of crimes, they're willing to support the regulation of purchase of these weapons and that there be a record kept of the purchase of these weapons, and that it be illegal to tamper with these weapons and change them so they could be used to fire real ammunition. These replica guns are as dangerous as the real thing.

The principles are the same. All we're suggesting here is that they be consistent. If you really want to fight crime, this government ought to support gun control legislation. It is a serious matter, not only in the city of Toronto, a large megalopolis, but it's a matter of concern to all urban centres across this province. In Kingston, and Ottawa, Windsor, London—you name it—there are these concerns.

Police chiefs across this province have expressed their concerns. They have supported the private bill of the member for St Paul's and they have expressed deep concern that this Harris government has resisted supporting gun control legislation. Of course, the police services across this province support any measure to deal with gun control. They are startled as to why this government would not want to do that.

It would make a huge amount of sense for this government to move forward and really act in terms of curtailing crime out there in our society. Gun control legislation is certainly one of those important initiatives that this government fails to recognize and, by the way, it's not even their initiative. It's a federal piece of legislation. Yet they went so far as to oppose federal gun legislation at the Supreme Court of Canada.

This government really doesn't have a leg to stand on when it comes to dealing with real crime and getting tough on crime as they would like to present themselves. There isn't a member in this House who would behave in a fashion to suggest that crime and the commission of crime is acceptable to anybody, so why in the world would this government not move to support initiatives which would curtail crime anywhere in this province? These are initiatives that are truly important, and you can see the difference in the societies of North America: Canada, where we do have some measure of control over guns and the use of weapons, versus the United States, where they have very little control of weapons. The crime rates are incredibly different—a huge crime rate in the US versus our own crime rate here in this country.

The facts are obvious and what we're simply saying to this government is wake up and realize that you're not acting in the way that you would like people to perceive you to be acting, as a government that really cares about curtailing crime in urban centres across this province. You should support gun control legislation. You're simply not doing that. People have a hard time believing that this government will be getting tough on crime. It's just not the case. The facts don't bear it out.

The government doesn't have a whole lot of veracity when it comes to the positions that it has put forward

with respect to crime and how it has dealt with crime. The famous refrain from this government is to blame Ottawa. On the Young Offenders Act, it's Ottawa's fault. When it's dealing with gun control legislation, it's Ottawa's fault. As a matter of fact, even crime is Ottawa's fault when it comes to this government.

Once again, I commend the member for St Paul's for his fine work on this initiative. He deserves all the credit in the world for having brought this legislation forward and for having had the courage to do so. As well, I say to the government that we support this legislation.

1610

Mr John Gerretsen (Kingston and the Islands): I am very pleased to wind up our first hour of debate, from our perspective anyway, on this bill. I'd like to start off by giving credit to the individual to whom credit is due, and that is Michael Bryant, the member from Toronto St Paul's. No matter what kind of spin the Solicitor General or the government puts on it, it was his initiative in Bill 67, which he introduced here on April 19 of this year, that actually brought these kinds of activities before the House. When you compare Bill 67 to Bill 133 that has now been introduced by the Solicitor General, there is precious little difference, very little difference. There is almost no difference. Why could the Solicitor General or a member of the government not have stood up at some point in time and said, "We would like to give credit to the member from Toronto St Paul's"? Is it that difficult to do in this House, to give credit where credit is due?

Mr Peter Kormos (Niagara Centre): Bill 67 is tougher.

Mr Gerretsen: I know Bill 67 is a lot tougher than this Bill 133, but the Solicitor General couldn't even acknowledge the fact that he got all his ideas out of Bill 67 and then watered them down in Bill 133.

It's kind of interesting. These guys, the government, like to be looked at as being tough on crime, when the bill that was introduced by our member, the member from Toronto St Paul's, was actually a lot tougher than their Bill 133. It's sort of a watered-down version of Bill 67. But the Solicitor General or the parliamentary assistant, who's in the House today, could have stood up at some point in time and said, "We would like to credit the member from Toronto St Paul's with bringing this idea and this bill forward." Anyway, that's my view.

I'm very pleased to see the member for Oshawa in the House today. The member for Oshawa is a well-known individual who appears on all the infomercials for the National Rifle Association. You can see this member at noon, evenings, mornings, day and night; you can see him doing the infomercials for the National Rifle Association. It's kind of interesting why the government that has a gentleman who promotes the National Rifle Association would be sponsoring this kind of bill and why the government members just aren't in favour of gun control.

We license just about everything else. We license our cars, we license so many other things. What is wrong with getting a licence for your guns? Surely there's nothing wrong with that. That keeps greater control over

the number of guns that are out there and can only better our society, rid us of more gun-related activities than we are currently facing in this province.

We all think back to—when was it?—about a year and a half or two years ago when this government was actually promoting the use of firearms by 12-year-olds in hunting situations, that there was nothing wrong with giving a gun to a 12-year-old. I personally think that's a dangerous activity and it goes contrary to the kind of legislation we're talking about here. Be that as it may, that's where it is.

I just want to take a few minutes and remind the people of the province as to why this kind of legislation is necessary. We will be supporting the legislation, by the way. We will be supporting Bill 133, the watered-down version of Michael Bryant's bill. We will be doing that.

I have a compilation here of the recent events that involved phony guns in the province of Ontario. These are news clippings from just this year. Let me just run through a few of them to give the people of Ontario an idea as to what has been happening with respect to phony guns in this province.

On January 1 of this year, an individual was fatally shot by police. He had been holding a doctor hostage using a gun, and the gun turned out to be a pellet gun. That was reported in the *Globe and Mail* on January 1.

On January 2, the next day, police responded to a complaint that a man had pointed a gun at the complainant and his wife, and the gun turned out to be a pellet gun and was confiscated by the police. That was reported in the *Toronto Star*.

On January 5, some three days later, the police seized a pellet gun and a BB gun from three young men who were spotted by residents near the Glen Stewart ravine firing at targets. That was reported in the *Toronto Star* as well.

A couple of days later, on January 7, the police responded to a call from concerned citizens of a rooming house in Toronto concerning a man with a gun. Witnesses described the man as carrying a .357 magnum handgun. The gun turned out to be a pellet gun that was confiscated by the police.

On March 31, the police seized more than \$1 million in starter pistols and pen guns from a Montreal man who supplies merchandise to dozens of Toronto stores.

And it goes on. On May 30 of this year, two Hamilton-Wentworth police officers drew their weapons on a man they believed was waving a real handgun. As it turned out, the gun was a plastic imitation. The police described the incident as "a deadly game of chicken." That was reported in the *Hamilton Spectator*.

Then on June 19, there was an incident in Ottawa where an Ottawa teacher saw a youth armed with a gun in the schoolyard. High school students were scheduled to start exams but instead piled desks, chairs and filing cabinets against doors and gathered at the back of the classroom as they had been trained to do during safety drills. The Ottawa-Carleton police tactic unit responded in minutes searching for a gunman. In the end, it turned

out that the 15-year-old boy turned himself in to police and handed over a cap gun.

Here are all sorts of incidents just from the media in the early part of this year, about 10 different situations where, in effect, phony guns, the kind of guns we're talking about in this legislation, were used and there could have been some very serious consequences. It's probably those kind of incidents, plus the fact that my colleague introduced Bill 67, that got the minister to introduce Bill 133.

There's another thing that's kind of interesting. You may recall that when Mr Bryant first introduced his Bill 67, at that point in time the Solicitor General indicated there was absolutely no need in Ontario to have this kind of legislation. As a matter of fact, Jim Flaherty, the Attorney General, pointed his finger at the federal government, that it was all their fault and they should do something about it and they should do something about the Young Offenders Act. But the next day after that happened, the Premier undercut, undermined basically, both of these cabinet ministers and announced that the Bryant bill was going to be supported by the government, and then later on it was given second reading unanimously in this House.

What I'm saying with all of this is that obviously the government doesn't like to give anyone credit for coming up with good ideas, whether it's in this area or any other area we deal with here, and second, that the ministers themselves didn't know what they were doing. On one occasion they were saying, "We're not going to support this bill," but the Premier then gave the word and said, "Yes, we think it's a good idea," and all of a sudden there was unanimous support for the bill.

Legislation shouldn't be passed under those kinds of circumstances. I think we can all be intellectually honest with one another in this House that if good ideas come, no matter from what side of the House, we ought to respect that and we have to work with that and we have to be consistent about that.

Our consistency on this side speaks to the fact that we think guns can be a real danger to people in our society and we should do whatever we can to limit the use of guns in the province of Ontario.

Now, I'm not talking about hunters, or people who have legitimate use of guns or rifles, or people who want to be involved in hunting, particularly in northern Ontario and elsewhere in this province, but beyond that, there's absolutely nothing wrong, in my opinion, with the licensing and registration of these guns, because basically what we're trying to do, and with this kind of legislation as well, is to have a safer Ontario, an Ontario where the kinds of tragedies that could have happened and the kinds of incidents I talked about can be prevented. That's why this kind of legislation needs to be supported, and other measures as well.

1620

I would implore the member for Oshawa, who's in the House today—I'm very pleased to see him here—that he's not, I believe, doing any of us any good and

certainly not the reputation of this Legislative Assembly when he appears in these National Rifle Association infomercials.

That really is not a good idea. I've seen him there. I've seen him at 2 in the morning, sometimes at 7 in the morning or at 10 at night. He's in these infomercials and he does a good job. But we do not need Charlton Heston to be involved in our culture here in Ontario. That really isn't needed. It reminds me a little of the television show—I'm sure you've seen it—Charles in Charge, that was recently quite popular. We don't need Charlton in charge here in Ontario.

We will be endorsing the bill. We think it is a good idea. We think that true credit should be given to the member from Toronto St Paul's.

The Acting Speaker: Comments and questions?

Mr Kormos: I'm going to get a chance—finally—to speak to this matter in around eight minutes' time. I've been anxious to because it is an important issue. It is one that should be addressed in the context of what's going on out there in our communities, in the context of what the police have had to say, in the context of identifying a problem and then giving this government some assistance yet again. Do we always have to fill in the gaps for these guys? I've done my best to prompt them. They could've done it right in the first draft, but we're going to have to do it the hard way to fill in the gaps so that the bill really resolves the problems being confronted and encountered out there.

I am going to find it very difficult not to make reference to Bill 67 in the course of my discussion around Bill 133. I'm going to find it very hard not to refer, as, to be fair, all members of this House have, to the genesis of this issue legislatively with Mike Farnan, the great NDP member of the Legislature from Cambridge who brought this issue before this House some 11 or 12 years ago at least, without a great deal of success. He anticipated the problems.

Had there been more co-operation with Mr Farnan, more than a few lives might've been saved. I don't think it is unfair to suggest that. Had this type of legislation controlling imitation firearms—in of course an appropriate form, as Farnan's was—been passed, there might have been a few lives saved and a whole lot of grief eliminated for some very good cops here in the province of Ontario.

Mr Jerry J. Ouellette (Oshawa): I appreciate the opportunity to respond to a number of members. First of all, the member from York South-Weston spoke of the US crime rates. I have difficulty with two things: the amount of time I have to respond, and the way facts and figures are brought forward to the people of Ontario who are watching in that you can make what you would like to make.

If you look at Florida, statistically speaking, when they went to the no conceal law, which essentially says that you're allowed to carry a firearm but it has to be shown, they had a substantial reduction in crime. Is that something we want in Ontario? No, that's not something I want or anybody wants, I believe, from any party.

There are a number of things. In Wyoming, for example, a friend was down there and listened to a program on which they were talking about seven bank robberies they had had state-wide. Four of them were stopped by local citizens who armed themselves and surrounded the bank. That's not something we want in Ontario.

We have significant gun laws in Canada that are very supportive: safe storage and making sure individuals are qualified to participate in the activity. It's the firearms community that is the most concerned, because they want to protect their interests in it, of course, like all communities do.

Yes, we did do—it was supposed to be a gun control documentary. What the member doesn't state was what I actually said in it. The only thing I said was that the gun control laws in Canada are coming to the United States. We have safe storage. We have trigger locks. We have the assurance of qualified individuals participating.

To the member for Kingston and the Islands, first of all, it's interesting to hear about the times he spends up and the programs he watches. Why, at 2 in the morning, would he be watching NRA infomercials? I'm sure that interests a lot of the members here.

If the members opposite would look at the other Liberal provinces that brought apprenticeship programs forward and want to comment about that, maybe the members or the people of Ontario would be very interested in that.

I thank you for the opportunity. I don't believe I have enough time to continue.

Mr George Smitherman (Toronto Centre-Rosedale): It's a great honour for me to have an opportunity to spend two minutes commenting on the excellent remarks of my colleagues from Kingston and the Islands and York South-Weston. The presentation they made I think did an excellent job to go to some length to make it very clear that this is a piece of legislation the government has adopted, a legislative initiative the government has adopted as a result of the efforts of the member from St Paul's, my colleague and someone whose riding adjoins mine.

I think it does demonstrate to all that good work can occur when the government adopts efforts that other people have highlighted. Some of the incidents that have been referred to with respect to these guns occurred in my riding, including the very tragic circumstances in the emergency ward at St Michael's Hospital. I think we can all agree this is an effort that is long overdue, and our party will of course be supporting it, given that it is something we have been sponsoring.

I found it interesting, listening to the member from Oshawa with respect to the gun laws in the state of Florida. I have occasion to go to Florida. I think I'm a lucky person for that, at least because I go there when the weather here is cold. But to suggest that falling crime rates in the United States, in the state of Florida in particular, can be credited to this initiative that allows people to carry guns openly I think is a bit of a stretch of the imagination.

I must say, as I drove across Broward Boulevard in Florida last January, that I was astonished to see a guy riding a motorcycle with a gun on his hip. He wasn't a police officer. I found that to be astonishing; that's not the kind of country I want to have. I've always found it strange. I'm certainly one who supports people having guns for sport—I think that's appropriate—but to suggest that gun control is somehow a limit on freedom is a stretch and something I'll be working against.

Mr Frank Mazzilli (London-Fanshawe): Certainly I will not enter into the debate over gun registry. If members of this House are not aware, there's a federal election going on, and I'm sure it's an issue that the Supreme Court has said is within federal jurisdiction.

Different parties will take different views. The current federal Liberals believe that if everyone registers an individual long gun, somehow that's going to prevent crime. Other parties will take other views. But in fact handguns have been registered in this country since 1938. That is not new. The federal Liberals did not come up with that. All they're having people do is register every individual one as opposed to the old system of obtaining a firearms acquisition certificate.

I don't plan on getting on that debate. I want to focus back on Bill 133. Let's look at the intent of this bill. It's to ban the sale, the purchase or the transfer or receipt of starter pistols that can be converted to fire live ammunition. These are the ones that have been manufactured so they can easily be converted to real firearms. In the province of Ontario we are saying "No more," those convertible starter pistols will be banned. And it's to make it an offence for commercial vendors to sell these or otherwise transfer a deactivated or imitation firearm to anyone under the age of 18.

We've done this in consultation with police agencies across the province, the Retail Council of Canada, who believe they can comply with this legislation without creating an enormous bureaucracy in terms of management. The Solicitor General has committed to checking the ongoing intent of the legislation to ensure that it works and makes Ontario safer.

The Acting Speaker: Response?

1630

Mr Gerretsen: I'd certainly like to thank all the members who spoke, including the members for Oshawa, London-Fanshawe, Niagara Centre and my colleague from Toronto Centre-Rosedale.

It was very encouraging to listen to the member for London-Fanshawe, who said, if I heard him correctly, he was not going to make any further reference to anything that happens on the federal scene for the next month or so because there is a federal election going on. I take him at his word. I would hope that he will take the opportunity, during constituency week next week when we'll all be back in our ridings, to speak not only to the people in his riding but also to all of his colleagues, and impress on them that there are so many urgent problems here in Ontario that we have to deal with, with education—we heard about the crisis in education today during question

period—and in the area of health care, that we really should be sticking to issues that concern us here in the province and not deal with federal issues.

The people will have a say about that. An election will be held on November 27. Rather than the kind of arguments we've had here over the last two or three weeks—it seems to me that whenever the government can't say anything about any of the ideas the opposition brings forward, they always somehow blame it on the federal Liberals or the federal government or what have you. Let's get away from that. Let's deal with the problems we can actually do something about right within this Legislature.

Certainly Bill 133, which seems to have the support of everyone in the House, is an excellent example of that. Let's pass this piece of legislation. It will help the situation. Hopefully, it will lead to the result that the kind of incidents I talked about earlier that were reported in the local press over the last year or so will not occur.

Let us give credit where credit is due. Let's thank Michael Bryant, the member for St Paul's, for bringing Bill 67—on which this watered down version, Bill 133, is based—forward in the first place.

ROYAL ASSENT SANCTION ROYALE

The Acting Speaker (Mr Tony Martin): I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her office.

Clerk Assistant (Ms Deborah Deller): The following are the titles of the bills to which Her Honour did assent:

Bill 94, An Act to revise the Racing Commission Act /
Projet de loi 94, Loi révisant la Loi sur la Commission des courses de chevaux.

Bill 112, An Act to amend the McMichael Canadian Art Collection Act /
Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

REPLICA FIREARMS REGULATION AND PROTECTION ACT, 2000

LOI DE 2000 SUR LA RÉGLEMENTATION ET LA PROTECTION À L'ÉGARD DES RÉPLIQUES D'ARMES À FEU

(continued)

The Acting Speaker: Further debate?

Mr Kormos: Speaker, I've got only an hour. I'm going to try to use it as efficiently as I can, and with your co-operation we can do that. I know you understand that I'm to speak to the bill and I'm going to confine myself to the matter at hand. But I do want you to know that I'm exceptionally grateful for the quality of the pages who have served with us for the last six weeks.

I am exceptionally fortunate that among them was a very bright young woman, Tracey Saxon, from

Welland—from Welland south, as a matter of fact, which is a distinct community down there. Remarkably, Tracey has not set the standard in her family. She follows in her sister Tina's footsteps, who was a page here three years ago. Tina is now a grade 11 student at Notre Dame in the advanced program. She was an outstanding page, as has Tracey been. She is here in the members' gallery with her mother, Donna Lee Saxon. I'm exceptionally proud of this whole family and of both Tina and Tracey. Both have excelled academically and are acknowledged as leaders by their peers. I want to thank them, as I'm sure every member of this assembly would want to thank the pages from their respective ridings.

Applause.

Mr Kormos: Thank you very much.

I want to tell you that it's people like these pages who have a strong interest in what is being debated here and now. There are manifold issues: (1) imitation guns, (2) starter pistols, and (3) BB guns and air guns—pellet guns, if you will.

I indicated that we have to make reference to Bill 133 within the context of the history of the issue. I have to give some credit to the Solicitor General. At the press conference that he held over at the coroner's building when he announced this legislation, he, to his credit, credited Mike Farnan and he made references to the Liberal member's private member's bill. So for the life of me I can't understand why this happens, and that is to say that an opposition member can't be given more credit. I'm not suggesting you name the bill after him or her. I appreciate that would be pushy. But can't he be given more acknowledgement in terms of having raised the issue? So yes, I hold the Liberal member in regard for his having resurrected this issue after Mr Farnan had raised it unsuccessfully over a decade ago.

As I mentioned earlier, it's unfortunate, because Farnan's bill might well have saved lives had it been passed. I don't think it's in any way inappropriate or in any way a hint of an exaggeration to suggest that had Farnan's bill become law over a decade ago, the lives of civilians might well have been saved and certainly—I spoke before and I'll raise it again—the lives of police officers might have been altered in significant ways for the better.

I should tell you I also very much appreciate the assistance that the ministry, through their legal services branch, has given me, because they've been very helpful in helping me interpret respective sections of the Criminal Code and specifically part III, which deals with firearms, and the distinctions between Bill 133 and Bill 67.

The focus on this issue has been replica firearms—right, parliamentary assistant? That's where the focus has been in terms of the distinction between this and Bill 67. I tried to provoke official opposition members into pointing out that in some respects Bill 67 is tougher because Bill 67, rather than merely prohibiting the purchase of imitation firearms by people under 18, would require that they be 18 years of age, produce identification—which

Bill 133 does—but then also require those people to sign a statement for the intended use—

Interjection.

Mr Kormos: Exactly. That's what I'm going to get to; be careful, parliamentary assistant, because we're going somewhere with this and you may not like where we're going—and require the person to have a criminal record check or search. That clearly is a tougher standard than merely saying you've got to prove you're 18 or over. But I appreciate that what Bill 133 does with imitation firearms is restrict their sale to people 18 and over.

The parliamentary assistant appears to want us to think—although I'm not sure that he in his heart and in his mind really believes this himself. I don't accuse him of anything unparliamentary, I'm just saying I'm not sure that he really believes that merely restricting the sale of imitation firearms to people 18 and over is going to address the issue.

The stories, tragically, are legion. As recently as November 1, 2000, in the Kitchener-Waterloo Record, there was a news story. It ended up being a toy gun, but Constable Scott didn't know that when he was confronted by an armed man in the dark of night. "It was only by the grace of God this guy wasn't killed that night, because the officer had every reason in the world to shoot," said the head of the detective branch of Waterloo Regional Police. The language here says "replica guns." It was a reporter writing this, who doesn't understand, as the lawyer for the Attorney General does, those distinctions. "Concerns date back more than a dozen years"—well, that's referring to Mr Farnan's bill, isn't it? Of course. So the concern was first expressed legislatively here in the assembly—"as police have been complaining for over a dozen years that real-looking guns or air pistols are being used in crimes and that some replicas/imitations are as deadly as the real things. And local police have fears that someone may get killed if cops mistake a toy gun for a real one."

1640

I don't think there's any quarrel from any of these folks that that's the issue in a nutshell, isn't it?—guns that look like real guns, that put police in the dilemma of having to decide whether to shoot or not. Police don't have the luxury of consultation and sitting back. Police are thrust into positions where they have to make snap decisions. They're trained to do that, and the cops I've known have fulfilled that role exceptionally well.

But, you see, that wasn't the only news item in the last couple of days. There was a news story out of Victoria, BC where a 24-year-old—oh, did I neglect to mention that in the Kitchener-Waterloo incident reported on November 1, 2000, in the Kitchener-Waterloo Record that the person using the imitation gun was 52 years old?

Mr Mazzilli: How old?

Mr Kormos: Fifty two, Mr Parliamentary Assistant.

Right about the same time there was a news item out of Victoria, BC. A gentleman who works at Chapters was costumed for Halloween. Working in the retail business, I presume Chapters thought it would be entertaining to

have their staff—no problem with that, it's inoffensive—dress up in costumes. But he was dressed up in his Han Solo, Darth Vader type of costume, and as he was walking down the street going to work, passersby saw the holster with the firearm in it, called the police, the SWAT team comes, takes this guy down, as they should, and it's an imitation firearm. The guy was going to work dressed up in a Halloween costume, but the cops didn't know it was imitation. Again, that's the point. These imitations that are so realistic looking, even though they're not replicas by virtue of the Criminal Code definition, present real dangers to police. But this gentleman was 24 years old.

I don't have to tell you about the news item out of California that we read about on Monday of this week, about the Hollywood actor at a Halloween party. The news item indicated Los Angeles. As part of this costume, he was holding an imitation gun. Police called to the event, as the news item indicated, for noise—not unusual—see this personality with the imitation gun in his hand, shoot him, shoot him dead. That person was 39 years old.

Mr Mazzilli: I see where you're going with this.

Mr Kormos: Oh, the parliamentary assistant says he now sees where I'm going. Very good. Come with me a little further. Walk this way.

The bill restricts the sale—we're agreed. Imitation firearms present a threat. That's why the police have been concerned about them for over a dozen years. That's why we're debating the issue in the assembly today. Imitation firearms pose a threat.

The Peterborough Examiner, in an editorial, October 27, 2000: "Real guns, replica guns, imitation guns ... 'choose your weapon' has never been so complicated.

"It drives police departments crazy. When they see a gun—in the hand of a convenience store robber, in the glove compartment of a car pulled over for speeding—how do they react? What are they reacting to?

"They have to assume the gun is real, which leads to a potentially violent confrontation."

You don't take issue with that. Of course not, because we all agree that imitation guns are the problem. You purport to solve the problem by restricting their sale to people 18 and over. The three scenarios documented, which I just related to you based on news reports, were all people well over the age of 18, and none of them were people who had reached that point where they were using that imitation gun to effect a crime, were they? They weren't.

You see, imitation guns out there in the public's hands pose a danger. I believe the Solicitor General agrees with that proposition. I believe the Solicitor General and his parliamentary assistant want to respond to that very serious problem that the police identify. Then why in the name of common sense do you think that restricting the sale of these things to people 18 and over is going to solve the problem?

People 18 and over are either going to play with the imitation gun, the one that can reasonably be mistaken

for a firearm—the Halloween stories I told suggest basically that, don't they: the Han Solo character out in Victoria, the actor down in Los Angeles? I suppose it's not inconceivable that people 18 and over are going to want to play with the gun—although to be fair, it's not particularly likely, is it?—or they're going to use the gun for a criminal purpose, robbing a corner store, robbing a cabbie, what have you.

There's a third choice. Come with me, parliamentary assistant. They're going to play with it, they're going to use it for a criminal purpose, or—correct. Is that your final answer? You're correct. They're going to give it to a kid.

The Solicitor General—I hope I'm not misquoting him. I don't think I am. If he isn't the source of this comment, certainly other people in the Tory caucus are. They're saying, "We want to make sure that only adults buy these imitation guns and that they ensure the gun is used responsibly." Is that language a little familiar, parliamentary assistant? In other words, they were going to make sure we let these people buy them. You see, it was fascinating, because two weeks ago Wednesday I was watching Marilyn Churley just kick butt on the Coren show. Churley from Broadview-Greenwood was in there kicking butt. There was a Tory member on because the business of the imitation gun bill, Bill 133, came up. I'm sitting there with the clicker, right, in front of my little 13-inch black and white RCA Victor set, the one with the rabbit ears, and all of a sudden the Tory member says, "Oh, no, Bill 133 prevents that adult from giving it to a kid, so that's not a problem." Wrong. You no longer get to compete in the Who Wants to be a Millionaire game, Mr Tory Backbencher, appearing on Coren against Marilyn Churley. Who would want to take on Marilyn Churley on a talking heads phone-in show?

Interjection.

1650

Mr Kormos: Because the bill—you know the section I'm talking about, don't you?—says no person shall sell or transfer an imitation firearm to a person under 18. OK, so I look up the definition of "transfer," which of course includes "give," similar to Narcotic Control Act definitions, right? The parliamentary assistant is familiar with those in terms of what constitutes selling a narcotic. It includes giving it. There doesn't have to be an exchange of funds. Except for the fact that, "No person shall, in the course of running a business," sell, transfer or give an imitation firearm to a person under the age of 18.

Where does that take us to? It illustrates the Tory backbencher getting his butt whipped by Marilyn Churley on the Coren show two Wednesdays ago. You should have seen it. Did you see that show, the Coren show, two Wednesdays ago? Churley was brilliant. He was dead wrong when he said the bill prohibited the giving of an imitation firearm by that adult purchaser to a youngster.

Clearly the bill contemplates that adult giving the imitation gun to a kid. It contemplates it. It understands full well that there's a real problem out there with

imitation firearms because the police get really put into a "damned if you do, damned if you don't" dangerous dilemma when they're confronted with them. The bill wants us to think that the objective to be achieved is going to be resolved by restricting the purchase of these imitations to adults only, right? But then the bill says, "Go ahead, give it to any kid you see. It's not an offence." It's not in any way controlled or regulated. You missed the target. Not just the bull's eye, you missed the target. It should be a cause of great concern, because this bill will do nothing to keep imitation firearms out of the hands of adults, because they can buy them merely by presenting ID, number one.

Mr Mazzilli: Talk about the starter pistols.

Mr Kormos: We're going to get to starter pistols, Mr Parliamentary Assistant, and you may not be happy with what I have to say about that in terms of Judge Ewaschuk's decision. Can somebody get the Ewaschuk decision for the parliamentary assistant? You know the one I'm talking about, don't you? Have you got it ready? Because maybe the parliamentary assistant could read the Ewaschuk decision before I reach that point and he could make a determination on the constitutionality, whether in fact the prohibition against starter pistols really intrudes on part III of the Criminal Code. I don't know. He's a pretty clever guy, this parliamentary assistant; he knows his law. He learned it somewhere—Aylmer, maybe up in Ottawa, at the RCMP police college. But he knows how to handle a Criminal Code, I know that.

You see, the problem with the bill, friends, is that it doesn't address the problem in any way, shape or form. That is very tragic, because this bill, with respect to imitation firearms, is not going to prevent a single tragedy when cops are out there being confronted by imitation firearms. It's either going to be adults using them for criminal or non-criminal purposes or it's going to be back to the old saw of kids using them.

I have to tell you I understand, as you should, what happens now when somebody's looking out of their window and down into the parking lot of the apartment building and sees a group of nine-, 10-, 11-year-olds with what appears to be a handgun. They don't just say, "Oh, well, Johnny and the gang are playing cops and robbers." Understand that when I was a kid I didn't play cops and robbers, I played Che Guevara and the CIA, and when I was a kid Che always won. In any event, people don't look out their apartment window seeing a gaggle of kids with realistic-looking imitation firearms and just assume now that they're playing Dick Tracy. So people, for good reason, assume it's a gun and they do the right thing: they call 911 and they sort of duck and keep their heads down. It's not an unfair illustration, is it, Speaker?

There you've got a scenario once again: cops come out, doing what they know they are obliged to do and doing it as well as they can, their information being, if somebody's got a gun and, quite frankly, it looks like a gun, they've got to therefore presume it's a gun until they know otherwise, because they have an obligation to protect the community and a right to protect themselves. The

government's bill, Bill 133, does nothing to deal with the dilemma and the identifiable problem and the concern that all of us should have about imitation firearms.

Clearly, nobody is talking about the Star Wars things, the ones that are illuminated, the lit-up sorts of swords of fluorescent colours that kids play Star Wars sorts of games with. Nobody is talking about the fluorescent hued, bulbous water blasters that kids play with, and I suppose adults too. Nobody is talking about those sorts of things. We're talking about imitation firearms that look very much, until they're subject to actual manual inspection, like real firearms. The bill does nothing to address that problem.

Bill 133 addresses the issue of starter pistols. I want to make reference to them. Basically it bans starter pistols, doesn't it, Parliamentary Assistant? It bans them, prohibits them. You want imitation firearms to flourish but you feel that the province has an obligation or the need to ban starter pistols.

Let's see what Mr Justice Ewaschuk had to say. Are you familiar with the decision? They're making notes over there. They may slip it to you soon. Can one of the pages go over there to the Solicitor General's bureaucrats and see if there's a note for the Solicitor General or his parliamentary assistant?

Thursday, October 26, 2000, Toronto Star: "For the first time in Canada, a judge has classified a starter's pistol as a firearm, sending a Toronto sports store employee to jail for a year on gun trafficking offences." That happened to be under the Criminal Code. You understand that, don't you? Yes—landmark ruling.

"It is obvious that track officials would not use these pistols, but criminals would," Mr Justice Eugene Ewaschuk, of the Ontario Superior Court, said during the ruling. Mr Justice Ewaschuk is a highly regarded member of the bench in Ontario.

"A bewildered" accused, "an employee at King Sol Outdoors Store near Queen Street West and Bathurst Street, was led out of court in handcuffs ... after being found guilty.... The offence carries a one-year minimum sentence." No quarrel with that.

The convicted, "an employee with the store ... was approached twice in July, 1999 by an undercover officer looking to buy a starter's pistol. On July 7" he was sold a pistol and was shown "how to convert it with a screw-driver so that it could fire live ammunition." So you've got a store that's selling starter's pistols that could be readily adapted for use as a firearm and, when so adapted, can discharge a live cartridge.

Interjection.

Mr Kormos: Precisely. Parliamentary Assistant, you're coming along. You're doing not bad for a guy from London, honest. You're doing just fine.

What the store was selling was starter pistols. It wasn't converting them, but clearly the starter pistols could be converted. That's why you've got to read the judgment. The Criminal Code, according to Mr Justice Ewaschuk, makes those *prima facie* illegal under part III.

1700

Now, please, I'm not being critical, understand? Don't be so sensitive. Look, Parliamentary Assistant, if you want to work here for as long as I think you want to work here you've got to develop a thicker skin. It's not your fault. You don't call the shots in the ministry, you follow them. The Solicitor General calls the shots. You and I may share some of the criticism of the Solicitor General, and you'll have a—why don't those folks just come right out here and talk to you directly? Why do you have to go over there to talk in the dark with the bureaucrats? For Pete's sake, Parliamentary Assistant, show them a little more courtesy. Those guys work hard, far harder than you think, far harder than they should for what they're paid.

The issue of the starter pistol is a little bit of a red herring here. I'm not quarrelling with the fact that starter pistols or any other device that is not *prima facie* a firearm—what horrible language for me to use; I picked that up from some of the lawyers here—is not in its current status a firearm but could be made one readily, I'm not arguing that they should be prohibited for sale.

I'm suggesting—and understand why I'm suggesting this because I am coming to the defence a little bit of my Liberal counterpart who has been pilloried with respect to his Bill 67 by virtue of the argument that somehow it intrudes on Criminal Code turf. If that was true about 67, it is arguable that it's true about 133, especially when it comes to starter pistols and especially in view of the Judge Ewaschuk decision, which I'm confident will be appealed because it appears to be a precedent in its own right.

Parliamentary Assistant, lighten up. I'm solving your problem for you. I'm perfectly satisfied to see the prohibition against the sale of starter pistols maintained as provincial legislation until the appellate courts have dealt with the Ewaschuk decision. Who am I to tell the Ontario Court of Appeal or the Supreme Court of Canada how to rule? But again, Judge Ewaschuk, with his reputation and his legal background is not the sort of judge who is overturned very often by courts of appeal.

So relax, please. You're getting incredibly excited about this little issue, and I'm conceding it. I'm just tweaking you a little bit, Parliamentary Assistant. I'm just trying to keep your attention. I'm not at all concerned about the ban of the sale of starter pistols that can be readily adapted. Good. No problem with that, because they're not the sort of things that are going to be used at track meets to signal the beginning of a sprint or a race.

Let's go to the issue of BB guns and pellet guns. You've got to help me a little bit, Parliamentary Assistant. I need your help, because it appears that the BB guns and pellet guns—we're all familiar with them. Some are gas-cartridge activated. You buy the CO₂ gas and you screw the cartridge in. Some are just the pump type. Are some of the BB guns just spring-charged? I think there are some pump types, some cartridge types and some spring-charged where you used to cock it like you do Wyatt Earp or something when you were a kid, right?

Those appear to be included in the definition of "imitation firearm," because "imitation firearm" talks about those things that "could reasonably be mistaken for a firearm," excluding of course replica guns under the definition section of the Criminal Code. It then goes on:

"(i) a shot, bullet or other projectile at a muzzle velocity exceeding 152.4 metres per second, or

"(ii) a shot bullet or other projectile that is designed or adapted to attain a velocity exceeding 152.4 metres per second."

Well, there you go. I assume that is the reference to BB guns and pellet guns. Am I right on that? If I'm wrong, just shake your head like this: this means yes, this means no. Just shake your head. That appears to be where you cover BB guns and pellet guns. I'm hoping that. What you do is treat imitation guns, BB guns and pellet guns all with one fell swoop, right? Well, if I'm wrong, say so. You've never hesitated before. You've been up on your feet, "Point of order," and you've tried to correct me. If I'm wrong, say so.

Take a look at the act. Start with page 1, bottom left-hand side, or if you want to read the French version, on the right-hand side. What you've done is lumped "imitation firearm" together with a BB gun/pellet gun, so that a BB gun/pellet gun is an imitation firearm for the purpose of the bill, and again—no quarrel with this one—you have to be 18 or over to buy one. You have to produce ID of a valid type to buy one. Once again, that in no way inhibits, controls, regulates or interferes with little kids possessing BB guns or pellets guns, does it?

Mr Mazzilli: Now I'm following it.

Mr Kormos: That's right. You're very good. Of course not.

On that same Coren show two weeks ago where Churley was on—she was on like she always is, but Marilyn Churley from Broadview-Greenwood was on—the Tory backbencher then defended BB guns and pellet guns by saying, "Oh, you don't understand the rural reality. Farmers and rural people use BB guns to shoot varmints." There may be the occasional Canadian Alliance candidate who can generate enough anger and get some farmer irate enough that the farmer might threaten bodily harm but I'm not suggesting that anybody should consider shooting him. BB guns and varmints—interesting.

I spent a lot of time on farms and I've known a few varmints too. You don't shoot a skunk with a BB gun. You'd better be darn good. You better get it right through the eye and into that part of the brain that controls all of its bodily functions. You don't shoot a skunk with a BB gun. You don't shoot a racoon with a BB gun, or a possum. I don't really think possums are varmints.

Mr Hastings: They're rats.

Mr Kormos: You don't shoot rats with a BB gun because the rat will go, "Ouch," and then resume nibbling on the grain or the barley or the carrots, whatever it is that the farmer has. You don't shoot rabbits with a BB gun because the rabbit will go, "Ouch," and then carry on with its business. You see, farmers and rural people use .22s to deal with varmints. So I reject the proposition that

somehow BB guns and pellet guns are sacrosanct because farmers use them for varmint control. I know what farmers use for varmint control: they use firearms. Again, you've got to understand, this whole wacko gun debate has assumed proportions which are totally disproportionate to the real issues. I understand and defend and appreciate that firearms like a .22 rifle are a part of a farmer's or a rural person's culture and daily lifestyle. You keep them on the farm to do precisely that: to deal with varmints and to protect livestock and poultry and so on.

What are we to do with BB guns and pellet guns? I, for one, appreciate that our Thorold air cadets, when they do sharpshooting, use pellet guns. They're youngsters. They're under very responsible leadership. Remember I told you about the Thorold air cadets a couple of months ago? They got turfed from Thorold high school. I appealed to the Minister of Education to please intervene, to help. The Minister of Education, bless her, always responds to correspondence, but this one she said basically, "Too bad; so sad," for the air cadets.

1710

But the Thorold air cadets—and I've talked to many of these youngsters—use pellet guns for sharpshooting, for target practice. I think it's an entirely appropriate use of pellet guns by young people. They're supervised, they are being taught responsible gun use, they're never using the quasi-firearm unless there is supervision not just by adults, but by adults who have specific firearms training, usually military training—almost inevitably military training. No quarrel with that. None whatsoever.

I'm not sure that this government really, if it were to reflect on this, would want to put BB guns and pellet guns simply in the same category as imitation firearms. I call them, maybe not very accurately, quasi-firearms. Let me shoot a projectile and the only issue is that the projectile speed doesn't reach the projectile speed that's necessary to be defined as a firearm. You know that stuff. You work with that stuff for a good chunk of time. I'm not sure that they should be lumped in with imitation firearms.

The reason why is because, you see, if you're really going to resolve the issue about imitation firearms, the plastic ones, the sometimes metal ones—it's interesting. Take a walk around Toys R Us. You folks are going to be doing it more and more frequently now that Christmas is approaching. Toys R Us or Zellers or Wal-Mart—I suppose if you're a one-plaza town, you've got the Wal-Mart; you've got very few choices—the Bay toy department. You don't see very many of the imitation firearms that we're talking about or that the police are talking about. Not any more. Things have changed dramatically since the 1950s and 1960s. What you tend to see is the Star Wars stuff, the fluorescent stuff, the long—what do they call those things, the lit-up swords? Parliamentary Assistant, what do they call them?

Mr Mazzilli: I don't know.

Mr Kormos: OK. Well, you probably do and you're ashamed to admit it, but you know what I'm talking

about. Don't be embarrassed. It's OK. I expect you to know these things. You've got young kids; you've got to know these things. Give me a Sears catalogue and I'd be able to tell you.

So we're not talking about those being sold in the majority of stores. What we're talking about is any number of stores which are selling those things, the imitation firearms, that are scaring the daylight out of the cops. Parliamentary Assistant, if we're going to get rid of them, let's get rid of them. Ban the darn things. Say no, you won't sell an imitation firearm, something that could be—I'll even use your language—reasonably mistaken for a firearm which is not a firearm or a replica as defined under the Criminal Code. Say you won't sell those in Canada, because there's no need for it.

What your folks did do—somebody very clever inserted the exception subsection in section 4. Little do I know about these sorts of things, but I suspect—that's on page 3, Parliamentary Assistant, 4(2)—that would be applicable to theatrical productions, right? To the movie industry? Am I pretty close? Am I getting warm? To the television and other film industries? That would be a reasonable application of that subsection, wouldn't it, Parliamentary Assistant? So nobody's not considered, and if that wasn't the reason why the subsection was there, let's keep it there for that reason anyway. I can understand, because you're talking about under licence. Is that what it's for? That's what it appears to be for. I had hoped that those sorts of things would be documented.

The other problem with these imitation firearms is that they don't tend to have serial numbers, and if they do, it's the same serial number on all 1,000 units that are being stamped out in some plastic processing plant, isn't it? The serial number—

Mr Mazzilli: You're going to make me do clause-by-clause on this, aren't you?

Mr Kormos: Mr Parliamentary Assistant, you've got to read the stuff, because it's too late after it's passed. It's too late once it ends up being a dog's breakfast.

Interjection.

Mr Kormos: I'm going to get to where it should go, in short order. I'm going to get to where you should put this bill, in short order.

We've got to be careful. Come on. The police are expressing real concerns, and there is the evidence from the experiences that we've had, the two I cited you just this Halloween weekend, one in Kitchener, Ontario, and the one in Victoria, BC—there was the one down in the States—plus I can tell you of a number of incidents.

Page, he appreciates getting the notes. I want you to understand that. He thanks you; you've been very helpful to him.

There are a number of incidents where police have encountered imitation firearms, because the evidence from police officers is that these are encountered frequently.

I've got a comment here from the police force in Peterborough, in fact the chief of police. We're not talking about the former chief of police from Newmarket;

we're talking about the chief of police from Peterborough. Chief Terry McLaren said he questions whether the legislation, your legislation, Bill 133, is enough to reduce gun-related incidents: "I think it's a step in the right direction, but I don't know if it's enough." He's concerned that even with the ban on purchasers under 18, if people are bound and determined, they can probably get one. He is also concerned that the legislation doesn't prevent adults from buying imitations, because, as he notes, adults use the fakes, imitations, in the commission of crimes as well.

So I'll tell you what, Parliamentary Assistant. I think this bill should go to committee of the whole House.

Interjection.

Mr Kormos: Let me speak to that for a minute. Let's get back to Bill 67. What is the matter with your people, who have been under a barrage of criticism by the members of the official opposition for your dismissal of their private member's Bill 67?

Listen, the easy answer was to point out, "The problem is that this is a private member's bill and it gets displaced by any government business before the committee." Wouldn't that have been a good explanation of why you ditched the private member's bill and pursued your own? That probably would have gone over.

Mr Rosario Marchese (Trinity-Spadina): There's no quorum.

Mr Kormos: Go ahead, Rosie, call a quorum if need be.

Mr Marchese: On point of order, Mr Speaker: Look at this, I was just out there with the students and I come in and there's no one in here. Could you check to see if there's quorum. I don't believe it.

The Speaker (Hon Gary Carr): Could you see if there's quorum.

Clerk at the Table (Mr Todd Decker): Quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk at the Table: Quorum is now present, Speaker.

The Speaker: The member for Niagara Centre may continue.

1720

Mr Kormos: I was speaking about what the Peterborough chief of police had to say about Bill 133. I was offering some assistance to the parliamentary assistant to the Solicitor General about the line they could have used with respect to the Liberal private member's bill. They simply could have said, "No, we can't use your bill because, since it's a private member's bill, it will probably never see the light of day, even with our best of intentions, because it's always displaced in the justice committee by government bills. We, the government, believe so strongly in this that we had to move ahead with it as a government bill."

The other tack they could have taken along with that was to say to the opposition member and his Bill 67 that his bill was not adequate, not because it used the term "replica firearm," because it had its own independent definition that doesn't rely on the definition in the

Criminal Code, and not because it couldn't be amended to say, "but excludes 'replica firearm' as defined by the Criminal Code," which this bill admittedly does, but you could have pointed out, Parliamentary Assistant, you could have saved a whole of face by saying, "We appreciate your input, member of the opposition, but your bill isn't adequate because you only restrict the sale to people 18 and over instead of banning them, and we know that merely restricting the sale of imitation firearms isn't going to do a single thing to keep them out of the hands of the public."

You had that golden opportunity. It was within reach. It was within your grasp. John Irving, The Cider House Rules—I hope I'm not misquoting it—"never pass by open windows." You had a window of opportunity there. You didn't seize it.

In the few minutes I've got left, this compels me to reflect on the dilemma the government's in. Is this all about it's law and order agenda? Is that where we're at? Oh, the parliamentary assistant makes a fist. I say it's more like a little wiggle of fingers, not a fist. No, we need powerful responses to make our communities safe. I agree.

But this is advisory legislation. This says, "Oh please, don't give kids imitation firearms. The cops may end up shooting them in error." This says, "Oh please, if you buy an imitation firearm, people 18 and over, don't use it in a criminal offence. Please don't." Come on. Do you know how pathetic you sound? Whining, "Please, don't use this imitation firearm to rob a corner store. Please, we're going to let you buy imitation firearms," which have no godly purpose or useful utility, "please, don't be carrying this imitation firearm as part of a Halloween costume," so that cops who are in that horrible life-and-death, decision-making dilemma—"Oh please don't do that."

That's your position on safe communities? Please. Come on. You had the chance when you dismissed Bill 67 to say, "(1) It won't get passed fast enough because it's a private member's bill, and (2) it doesn't address the problem because it only restricts the sale of imitation firearms to people 18 and over instead of banning them outright."

You didn't seize the opportunity. You missed the boat. The train is out of the station and you're left standing there, baggage in hand. This could have had an in-our-lifetime and beyond-our-lifetime impact on making safer communities here in the province.

Here's the dilemma. I want to mention very briefly the ignition interlock bill, another one of the law-and-order agenda bills. What's interesting is that it's a private member's bill too, one of your own. I supported the bill on second reading. Then it blew my mind to hear the government send that into legislative orbit instead of to committee, notwithstanding that even if it had gone to committee, it would have been deferred by all the government business, which means you guys really aren't that interested in passing any ignition interlock legislation, are you? Because if you were, you would have presented it as a government bill so it had priority in committee.

What I want you to do with this bill, please—this time I'm asking you, because I'm concerned about imitation firearms out there. You've got thousands of cops in this province who are concerned about imitation firearms. You've got cops who have already been put in that incredibly difficult dilemma of, "Is that a real gun or an imitation? Do I pull my firearm or do I leave it in my holster? Do I take a chance and risk getting shot myself or risk somebody in the public around us getting shot?"

Nobody envies the police officers at St Mike's hospital on January 1 of this year. You know what happened there, don't you? Police officers were called to the emergency room. They see a man with an imitation firearm, to wit, a starter pistol, incapable at that point of firing any projectile. The police are compelled to shoot him dead. That's what they're trained to do. None of this business about, "Oh, why didn't they aim for the wrist and knock the gun out of his hand?" Come on, you know that. When police officers pull their firearms, they're disciplined enough to know that you pull them only for the purpose of using them, and that when you use them you don't aim to shoot off somebody's pinky or their little toe; you aim for the largest body mass.

They know firearms are deadly weapons. So nobody celebrates what happened at St Mike's hospital emergency room on January 1, 2000. In February 2000, nobody celebrates the shooting at Emery Collegiate here in the city of Toronto, where one of the firearms was an imitation firearm. The problem is that your legislation does nothing to remove these imitation firearms from our communities.

I want cops to be able to safely presume, because of strong legislation that bans imitation firearms, that if it looks like a gun and looks like it can injure somebody, inevitably it is a gun and is capable of injuring somebody, and they're in a position where they can rely upon the support of the law and the public to respond with the appropriate amount of force, under the circumstances, to protect themselves and to protect members of the community.

I propose this bill not go to committee. I don't know what your interest would be. Oh, you'd have the same lineup of people who would come and say, "It's a good bill." The problem is I'm not saying it's—I've congratulated you already, haven't I? I have. I'm saying it's important this issue be before this assembly because we've got to get rid of these imitation firearms before more people get hurt and killed.

We've got to do it to protect the community and to protect the police. We've got to get rid of them. It's as simple as that, and it could be done so easily. I'm not prepared to play Russian roulette with the lives of citizens in this province or with the welfare or lives of cops. You may be, because I reflect on the statement made by your Solicitor General. What did your Solicitor General say? He says, "We'll have to wait and see, after Bill 133 passes, whether guns still end up in the hands of kids before extending the ban to all ages." That's what he said. If I'm wrong, stand up on a point of order right now, Parliamentary Assistant, and say I'm wrong. Your

Solicitor General said: "There may be a need for an entire ban, what Kormos and the NDP say. We will have to wait and see whether imitation guns end up in the hands of kids." That's what I call Russian roulette with the lives of citizens and cops.

1730

What do we have to wait and see for? So the cops are confronted with a dilemma, with a 13-year-old or a 12-year-old or a 14-year-old or a gaggle of them waving imitation firearms? We are going to wait and see if that happens? You know that the bill does nothing because it doesn't forbid the adult who buys the imitation firearm from giving it to a kid. As a matter of fact, it implicitly permits this. It doesn't require that adult to supervise the kid in their playing or other use of that imitation firearm. It doesn't make it illegal for that youngster to possess an imitation firearm, does it? Implicitly, it says, "Good, let kids have imitation firearms." That's what the bill says. You read it from page 1 through to the end and that's what the bill says.

I am extremely frustrated by a government that knows the dangers of imitation firearms, knows how much grief and tragedy they've already caused, and says, "It's OK for children to play with them, for children to possess them, just as long as it is an adult who buys it." There's no imposition of any standard, of any control, over what that adult does with it once that adult, 18 and over, buys it. You can't trace these. I already told you, they don't have serial numbers. Some of them cost as little as a couple of bucks. They're all very scary.

You should've been with me at the press conference that the Solicitor General held to announce this bill, because Toronto's cops had a display of real firearms and the imitations that are being targeted—pretty scary stuff. I'm going to be the last person who's going to try to second-guess a cop who's confronted by one of those. Never mind in broad daylight; what about in the twilight of dusk or in the context of a group of people?

That's what has to be addressed. Send this bill to committee of the whole House so amendments can be put. It is a simple process. You won't see any grandstanding from this side. I hope not to see any from yours. I'll support this bill if it does what it is intended to do. If it doesn't achieve that goal, I will damn it at every opportunity I have. If it doesn't achieve that goal, if it isn't amended, it will be yet another betrayal of victims and another illustration of this government's disdain for public safety in the province of Ontario.

The Speaker: Questions and comments?

Mr John O'Toole (Durham): It is a pleasure to change the tone here on Bill 133. Respectfully to the member for Niagara Centre, imagine him lasting an hour and staying on topic. I'm going to actually try to turn this around into a positive—we talked about the Young Offenders Act a bit today in private members hours, we've talked about the imitation gun issue here—some of the good things going on in Ontario, something we can celebrate as we end this week prior to Remembrance Day.

I want to take a moment and pay tribute to our minister in charge of responsibility for children and youth, the Honourable Margaret Marland, who is in the House listening to this debate, and commend her for a number of initiatives that are ongoing. One that I am encouraging people to respond to is the Ontario Youth Council. There have been over 300 applications for this council that will advise the minister directly.

Another important issue, as we mentioned in our budget, was the challenge fund, with over \$30 million to help youth in this province to connect with various kinds of services, youth of all sorts from all types of backgrounds.

Most important, there's a whole vision here about youth that I've seen. The tone is changing. I think we should catch the wave on this. It's called Ontario's promise, and I'm confident of the commitment that I heard the Premier say. Speaking at the Toronto Board of Trade, he said just think of it this way: not to think about the plastic guns and all the violent issues; let's think about each child having a healthy start, a level playing field. Let's speak of every child having an ongoing positive relationship with an important adult, hopefully a parent, a safe place for them to go and feel safe, a marketable skill so they can actually take part in the economy, and an opportunity to give back to the community the feeling of worth and self-worth on the journey of life. That should not be denied any child—not my children, not your children. I believe Margaret Marland is doing a great job in that ministry.

Mr Dominic Agostino (Hamilton East): I want to congratulate the member from Niagara Centre for an excellent speech. I think he brought to this issue the usual passion and reason and certainly beliefs that he brings to most debates. He made some excellent points with regard to some of the weaknesses in this bill.

That being said, we're going to support the bill. Frankly, this bill was the idea of my colleague from St Paul's, Michael Bryant. I just want to remind the House that the Attorney General initially rejected the idea when Mr Bryant, my colleague, put forward this bill. The Attorney General said it was silly, it wasn't necessary, and then of course the Premier overruled him a few weeks later, as he tends to do lately on most issues.

I wish this government would go further on law and order. They're great at talking the talk. As my colleague said, they champion law and order as one of their main issues, but they forget to tell people that this same government spent millions of taxpayers' dollars to go to court to fight the fact that most Canadians believe guns should be registered and most Ontarians believe guns should be registered. But the Mike Harris Conservatives don't believe people should register their weapons. They spent millions of taxpayers' dollars to fight that.

This same government talks law and order, but it's OK for 12-year-old kids to carry guns and to hunt. This same government says it's acceptable to cut off programs to prevent crime. This same government says it's OK to cut social workers out of schools who can help young

people. This same government believes that you lock up a young person, you throw the key away and you do a boot camp; you talk about all this discipline without any real help to real kids. It's the same government that basically has taken cops off the street. There are less police officers today than there were when this government took office.

So the reality is very clear. This government talks the talk. They like to pound their chest, but when you look at the real record, the real agenda, the real achievements of the Mike Harris government, frankly, they're not tough on crime; they're wimps on crime.

Mr Marchese: Just a couple of minutes to praise my buddy from Niagara Centre? I heard him last night speaking to the bill, the Office for Victims of Crime, where he exposed eloquently last night, exhaustively, for a whole hour, and showed with some intelligence and the usual peppery passion—and passion with intelligence, not passion that's empty, but passion with intelligence.

That's why I get worried, because I don't see the parliamentary assistant on the other side—I know he's listening, but I'm worried that he is not picking up on the commonsense suggestions that the member from Niagara Centre makes. It's a simple argument. He makes the following argument, because you guys are law-and-order kind of political folk. That's what you say. Every time you present a bill here you say, "Ha! We should celebrate this bill today. We should celebrate this other bill yesterday. My God, we should celebrate." We should celebrate what? is what the member from Niagara Centre is asking. What are we celebrating here in this bill?

What he said—and that's why the common sense is critical. I agree that sometimes common sense needs to be defended. Sometimes. Sometimes it's wrong, as we often are critical of this government because they make reference to conventional wisdom that is often wrong. In this case, the member for Niagara Centre says you haven't done the right thing. Making these imitation firearms available to people 18 years and over doesn't mean that they are going to be abolished, doesn't mean that they don't get passed on. So if you really want to do the police a favour, the best thing to do is get rid of them. Banish them altogether. That's what you ought to do.

1740

Mr Mazzilli: I'll wrap it up, but I certainly can't avoid the comments that came from the opposite side of the House. This bill, although it came to light in 1988 by Mike Farnan, was allowed to die on the order paper by what we hear are the law-and-order-agenda Liberals of today. What did they do in 1988? They buried that bill.

Of course the member from Niagara Centre is very tough on crime today—tougher than we are, of course. But what did he do when they were in government with Bob Rae? I can tell you that the police were devastated in this province, as were taxpayers, because there was no law-and-order agenda and there's no law-and-order agenda in their platform this time, as it was also missing from Dalton McGuinty's platform.

I suspect many people in this House will support this legislation and the intent, and if we can go back to that, the intent of the legislation is to ban the sale, purchase, transfer or receipt of starter pistols that can be converted to fire live ammunition. No ifs or buts about it, those will be banned, and I'm sure the member from Niagara Centre will be happy with that position.

The second intent is to make it an offence for commercial vendors to sell, lease or otherwise transfer a deactivated or imitation firearm to anyone under the age of 18.

This bill has been drafted in consultation with police stakeholders, the Retail Council of Canada, and the Solicitor General has committed to looking at whether this legislation meets the needs of our policing community.

The Speaker: Response?

Mr Kormos: Oh yes, that's great logic. We'll forbid the sale of imitation firearms to people under 18 but we won't prevent people from giving imitation firearms to people under 18. That's heavy stuff. This is really profound "if A, then B" sort of logic. You have overwhelmed me, Mr Parliamentary Assistant, with the volume of common sense you seem to have applied to your analysis of the bill.

You know as well as I do that the bill says it's not OK to sell a youngster an imitation firearm if you're in business, but otherwise you can give them out like candy on Halloween—no restriction whatsoever as to whom you give an imitation firearm to. The bill does nothing—zip, zero, nada—to address the issue of imitation firearms and the danger they pose.

You're like a dog with its hind leg raised. You want to get into some sort of contest about who's more law-and-order. I'm telling you I just want you folks to take a look at what you've failed to do here, to fix the problem before more people die. I want to protect cops and I want to protect the community from the dangers posed by imitation firearms.

Your Bill 133 is the point at which we can begin to do that. Please, a modest amendment to achieve the goal that you insist you share with me and with police officers across this province. A modest amendment would turn this from a hollow, empty shell into something that has real meaning for cops and citizens alike in this province.

The Speaker: Further debate?

Mrs Julia Munro (York North): It's certainly a pleasure for me to be able to rise this afternoon and talk about Bill 133.

I think people need to understand that Bill 133 stands in a context of a commitment by this government to community safety. It has been a cornerstone of our platform since 1995, and there have been many examples in the way we have demonstrated, first of all, the need for community safety and our response to it.

I well recall our commitment to ensuring that we had front-line police officers, 1,000 net new police officers in this province. I had the opportunity to make a cheque presentation to the York region police board, recognizing

the contribution that we have provided them in being able to meet that target.

In fact, another example comes to mind. Just last week I had a constituent from Mount Albert who came to see me with regard to the community safety zone. In that community there has been a tragic situation, and the community recognizes the important role that a community safety zone represents for the community. I was delighted that we were able to provide him and the community with the means to be able to set up that community safety zone.

The increased funding for RIDE programs is another demonstration of our commitment to community safety.

It's in that context, then, that we see Bill 133, that it is consistent with community safety. When you look back at some of the evidence that preceded the introduction of this bill, it's a clear demonstration of the fact that this bill is meeting that need within the community. It's clear that in many cases imitation firearms can be reasonably mistaken for handguns, including of course realistic-looking BB guns and similar devices.

Many people have raised the issue that the question of the control of most firearms, including their importation, possession and sale, is regulated by the federal Firearms Act and the Criminal Code. So this piece of legislation is designed to fill a gap. This new Ontario legislation includes new requirements for imitation firearms and BB-gun type firearms that are currently not covered by the Criminal Code.

To demonstrate the importance of this, one need look only as far back as 1998-99, where police are able to tell us that there were more than 1,200 incidents involving starter pistols and other imitation guns in Toronto. Police services throughout the province support this legislation, which we believe will improve community safety.

There are other examples here. I would like to just pause and emphasize the gap that I mentioned a moment ago in terms of the federal legislation. The federal definition of replica firearm does not include a number of firearm-like devices or imitation firearms such as antique firearms, starter pistols, air guns, air rifles, air pistols, air soft guns, pellet guns or BB guns, deactivated firearms and certain toy firearms and decorative items that resemble firearms, such as lighters. When one examines the situation with regard to the federal legislation, it becomes clear that we need to look at this bill and the way in which it meets those specific issues.

This bill regulates the sale, transfer, purchase and receipt of three types of devices that resemble firearms and that are not regulated by those federal acts. These three types of devices are convertible starter pistols, deactivated firearms and imitation firearms. The notion here is that it makes it an offence to sell or transfer to anyone under 18 years of age an imitation firearm. "Imitation firearm" is defined to include any device that could be reasonably mistaken for a firearm which is not regulated by the Criminal Code. The bill also sets out the types of identification necessary to prove age in order to purchase or receive a deactivated or imitation firearm.

1750

In the course of the discussion leading to the introduction of this bill, it became clear that police have identified an increasing trend toward the use of certain starter pistols and other imitation firearms, and an investigation last year revealed that many drug dealers in the greater Toronto area were converting starter pistols to fire live ammunition in a semi-automatic fashion.

A look at the kinds of cases the police have examined in the last year again demonstrates the kind of problem this bill is addressing. There is example of a case in June 1996. After Faraz Suleman was alleged to have been involved in armed carjacking, an imitation Glock 17 air pistol was seized from his home. At the 1999 inquest, the coroner's jury recommended a ban on air soft firearms and imitation firearms.

There are many other examples of where the police have found themselves or others in danger. Another example from this year was in January, where during a hostage-taking at St Michael's Hospital the individual held an imitation .45-calibre Daisy pellet pistol to the head of an emergency ward doctor, and the police mistook it for a real handgun.

In February of this year, three persons were injured in a shootout at Emery Collegiate; again, a converted starter's pistol was one of the firearms used in this shootout.

There are many examples that we can point to which demonstrate the kinds of problems that these imitation guns have presented to the community at large and to the police specifically.

I think people should see this bill in the context of our ongoing commitment to ensuring community safety. It's one of a whole line of influences and introduction of programs, such as the most recently announced organized crime initiative, where we have committed to spending \$2.7 million annually, specifically geared to bike crimes as well. There are many examples of the way in which this government continues to meet that commitment of community safety, and this simply adds to that commitment.

ADJOURNMENT DEBATE

The Speaker (Hon Gary Carr): Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made. The member for Eglinton-Lawrence has given notice of his dissatisfaction yesterday with the answer given by the Chair of Management Board. The member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to five minutes.

ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

Mr Mike Colle (Eglinton-Lawrence): As you know, yesterday the Environmental Commissioner issued his

report, *Changing Perspectives*, and in the report there was quite an astonishing section on the Management Board Secretariat. What was astonishing in this report was that the Environmental Commissioner said that in 1998—that was the report of 1998, a couple of years ago—the Environmental Commissioner's office at that time asked the Management Board Secretariat to stop selling lands that were environmentally significant without proper environmental assessments and without public hearings. That was in 1998.

Here's the report, with a new Environmental Commissioner, and the same ministry, Management Board Secretariat, has continued to do what they were told not to do. In essence, they are breaking the environmental laws of this province. When you break the environmental laws of this province, I know a bill has been introduced by this government that says the fines are going to have a dramatic increase for the private sector for anyone who pollutes or breaks environmental laws, very tough fines, they claim.

How can you have any credibility in saying you're going to bring these citizens to justice with fines etc if one of the ministries that has charge of selling government lands is not obeying environmental laws? The Environmental Commissioner is quite categorical. He is very unequivocal about this flouting of the law by the Management Board Secretariat. He says on page 58 that the Environmental Commissioner of Ontario's "review over two years has found broad disregard of environmental legislation" by the Ontario Realty Corp, which is under the Management Board Secretariat, "broad disregard of environmental legislation," repeated from 1998.

The point that is most contentious for our side, and I think for the public at large, is that these lands that are being sold are in some of the most environmentally sensitive areas of this province—to the north of Toronto in the parkway belt, the Oak Ridges moraine, the Markham-Pickering agricultural lands reserve and the Rouge park areas—all sold without adequate environmental study or public consultation, against the laws of this province.

In fact the Environmental Commissioner is again quite specific. He says on page 56, "During the reporting period for this annual report, the ECO has become concerned that the Management Board's real estate agency, the Ontario Realty Corp (ORC), has continued to market, rezone, subdivide and sell government land holdings affecting environmentally significant lands, including lands in the parkway belt ... the Oak Ridges moraine."

They are systematically, in a very defined pattern, defying the laws of this province, at the same time selling off these lands that are very vulnerable because they're part of our watershed, water regeneration functions. For the life of me I cannot figure out why he won't make these public. I said, "Make the list of all these lands that the Ontario Realty Corp has for sale, across the GTA even, not all across Ontario, in these environmental areas, give us the list of these lands that have been put up for

sale and that have been sold or are about to be sold." We have a right to see that. I think the public has a right to see this list. I know my colleague from Hamilton East for the last six months has asked for a similar list and the Management Board Secretariat has stonewalled, has refused to make this list of public lands public.

Mr Colle: What are their reasons for not releasing these lands that are being listed? One of the excuses they give is that some of these lands are under police investigation. We know that. But there's no reason why the listing of all the potential land sales cannot be put on the table because there's a dispute.

The Management Board Secretariat says they've complied. The Environmental Commissioner told me personally that he can't get these listings. So I ask the minister to tell us why he won't make these environmentally sensitive land listings public.

1800

Mr Joseph Spina (Brampton Centre): I reiterate the minister's response yesterday to some extent that he welcomed the Environmental Commissioner's report and the opportunity it brings to review and improve the current practices of the ORC. In fact, the minister made it clear to the ORC his expectation that they comply with this legislation.

When the commissioner first brought this issue to the deputy's attention last May, immediate action was taken. The minister wrote to the chair of the ORC on May 26 advising him of the commissioner's concerns and directed the board to ensure the ORC is following the legislated environmental requirements. The minister also has been assured by the board that they have put the measures in place now to comply with that legislation and address the commissioner's concerns, such as public consultation on environmentally significant properties.

For example, right now the ORC is hosting public consultations about the potential site of the Oakville land assembly and its environmental impact. The ministry consulted with the ECO about the ORC's activities on their advice, and it was to have the ORC consult with the Ministry of the Environment. This has been implemented. The ORC will work co-operatively with the environmental office to ensure they are in complete compliance with this legislation.

The commissioner made a recommendation for Management Board, the Ministry of the Environment and the realty corporation to review and revise the current sales practices. It is a valid recommendation, and the minister wrote to the ORC chair today to get started with this review immediately.

The minister has been advised that the ORC is in compliance with environmental legislative requirements at this stage. We want to put on record some important points that the commissioner did not include from the deputy minister's July 14 response.

For example, the deputy minister informed the commissioner's office that the ORC did not market, rezone or subdivide any environmentally sensitive government-held lands during the 1999-2000 reporting period. Further, the deputy also informed the office that the ORC offered several landlocked parcels in the Oak Ridges moraine that were surplus remnants of the Highway 404 construction for sale to the adjacent owners only. The ORC did transfer one environmentally significant parkway belt parcel, and it was directly to the city of Toronto and the regional conservation authority. In the Markham-Pickering agricultural land preserve, ORC is selling properties through the tenant purchase program. These properties are subject to an easement to preserve their agricultural use under the agreement signed by the ORC, the region of Durham and the city of Pickering.

Regarding the missing environmental reports, the minister deems this to be unacceptable. ORC should be making the environment a priority in its activities and should be reporting as required. They expect ORC to support the government's commitments to this. That's what the minister wrote in his letter in May. He has asked the deputy minister to write to the chair of the board again today directing them to respond to this issue of outstanding reports, and he expects them to comply immediately.

With respect to the member for Eglinton-Lawrence's request for a list, the president of the ORC, Tony Miele, spoke to the member on Tuesday and offered to get that list to you. The president also offered to provide you with a complete briefing in public in front of the media, and the member refused. All he wanted was a list, because all you're interested in is playing political games. The president of the ORC himself, in public in front of the media, offered to give you a briefing. You refused. The matter rests.

We are pulling forward with this and we will comply as a ministry.

Mr Colle: Where is the list?

The Speaker: Will the member take his seat, please.

There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 1:30 of the clock on Tuesday, November 14.

The House adjourned at 1805.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	Bountrogianni, Marie (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton West / -Ouest	Christopherson, David (ND)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Beaches-East York	Lankin, Frances (ND)	Huron-Bruce	Johns, Hon / L'hon Helen (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguee aux Affaires des personnes âgées et à la Condition féminine
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton Centre / -Centre	Spina, Joseph (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Brant	Levac, Dave (L)	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Tourism / ministre du Tourisme	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Cambridge	Martiniuk, Gerry (PC)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Chatham-Kent Essex	Hoy, Pat (L)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Davenport	Ruprecht, Tony (L)	London West / -Ouest	Wood, Bob (PC)
Don Valley East / -Est	Caplan, David (L)	London-Fanshawe	Mazzilli, Frank (PC)
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports	Markham	Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Durham	O'Toole, John R. (PC)	Mississauga East / -Est	DeFaria, Carl (PC)
Eglinton-Lawrence	Colle, Mike (L)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines		
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		
Hamilton East / -Est	Agostino, Dominic (L)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Ottawa-Orléans	Coburn, Brian (PC)	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Publications



No. 101A

N° 101A

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 14 November 2000

Mardi 14 novembre 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 November 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 novembre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

CORRECTIONAL SERVICES

Mr Dave Levac (Brant): I want to report to the House today a problem that continues to plague this government: the improper management of our jails.

A serious situation was brought to the attention of the Minister of Correctional Services regarding intermittent sentencing and overcrowding in our jails across the province. It was very clear that convicted drunk drivers, drug traffickers and those involved in fraud who were given intermittent sentences were not doing their time behind bars due to overcrowding, as Dalton McGuinty told you less than a few weeks ago. Those convicted were literally given get-out-of-jail-free cards and were being told to serve the remainder of their sentences at home. This does not sound like getting tough on crime to me.

How does the minister solve the problem? Well, from his cell phone in Florida, the minister cancelled the temporary absence program entirely. That means more overcrowding in an already dangerous situation. To date, the government's cutbacks have resulted in the closure of 400 beds at correctional facilities across Ontario. Your solution also means that organizations such as the Salvation Army, the John Howard Society and others can no longer provide valuable rehabilitation and community services in a controlled, supervised setting.

Why is it that it has to be all or nothing? It seems to me that the prison system in Ontario isn't the problem. As I've said all along, the correctional officers, the framework and foundation of our system are excellent. It's the Minister of Correctional Services who just isn't up to the job.

REMEMBRANCE DAY

Mr Wayne Wettlaufer (Kitchener Centre): On Saturday, I, along with all of my colleagues in this House, joined hundreds of others at our local cenotaphs. We stood with our heads bowed in silence to pay tribute to the brave men and women of previous generations who picked up arms, went to war and fought to preserve their democratic rights.

Attending annual Remembrance Day services is a humbling experience for me. It is an emphatic reminder of the life and blood sacrifices made by millions of Canadians in the bloodiest wars in history. How small our sacrifices seem in comparison.

Today I stand with you in the Legislature, one of the truly great centrepieces of democracy. Every minute we spend in the Ontario Legislature, every word we speak in this democratic place, is a direct tribute to and the legacy of the men and women who fought to give us this priceless gift: the gift of free speech and the right to vote in democratic elections.

How frightening were those dark days of war for the men and women at the front and their families back home. The fighting men and women had to face the reality that at any second a bullet, artillery shell or bomb blast could end their lives or shatter their bodies, as it had for so many of their friends and comrades. Their families back home lived each day in the fear that they would receive a telegram informing them that a son or daughter, brother or sister had been killed, maimed or was missing in action.

Thanks to their sacrifices, this nation is a truly great nation. Canada is a beacon of light to the free world on what a true democracy can accomplish. Mr Speaker, I thank you for the fine effort you put forward in an attempt to ensure the smooth functioning of this democratic centre. I salute our opposition members, without whom a true democracy could never exist. I pay tribute to the men and women of our caucus who work so hard to provide leadership on many issues. But mostly I stand to pay tribute to the men and women who fought to ensure that their legacy to us and to generations following was the precious gift of democracy.

OPP FACILITY

Mr Ernie Parsons (Prince Edward-Hastings): The Ontario Provincial Police and several other ministries are looking to centralize their dispatch services in eastern Ontario. Coincidentally in my riding, Quinte West, there is an empty, virtually brand new Ontario Provincial Police building. Both the OPP and Bell Mobility have recommended that it is the ideal site for this dispatch service, so I was surprised to see an ad by the Ontario Realty Corp requesting proposals for a facility for a dispatch centre in Perth. The only differences I can find between the location in Belleville and the location in Perth is that Perth doesn't even have a building at this

stage and Perth is represented by a Conservative cabinet minister.

This is not Progressive Conservative money that they're spending to do these ads and to construct a new building. This is hard-working taxpayers' money that is being abused. If the Quinte detachment is indeed the best location, why are they looking at Perth? This stinks like pork-barrelling.

I would like this government to come clean and guarantee that the location they select will be the best location, not the best political location but the best location. I know that you will never buy something as cheaply as that which you already own, and this government owns a brand new, empty building. The Solicitor General and the Chair of Management Board need to assure this House and the public of all of Ontario that their money will be spent wisely and that they will select the best building, not the best political solution.

LONDON POLICE SERVICE

Mr Frank Mazzilli (London-Fanshawe): Police officers risk their lives each and every day when they go to work. They are dedicated to the safety and protection of citizens in Ontario. The reason I rise today is that on Thursday, November 9, 2000, I had the opportunity to recognize some of the long-standing members of the London Police Service. I just want to go through some of the names.

With 30 years of service: Ken Abell, Brian Collins, Kenneth Dixon, Herbert Frew, Frederick Goebel, Richard Hopkins, Al Keutsch, Dennis Koehler, Robin Lawrence, David Lucio, Gerald Marshall, William Mate, Tony Morton, Bruce Nelson, Richard Niles, Wayne Parry, Earl Steele, Robert Tucker, Richard Wilkinson, Brian Young and Leonard Zima;

With 20 years of service: Brian Allen, Brent Anderson, Scott Hessel, Michael Hurni, Randal Bornais, Peter Bradshaw, Gary Brown, Robert Cann, Dennis Carter, John Carter, Bradley Duncan, Ronald Earnshaw, Stuart Ewing, Grant Farquhar, Thomas Gaffney, Robert Gall, Rolf Gassewitz, Terence Griffin, Gary Hansen, Ricky Harriss, Ian Johnson, Paul Kerkhof, Bradley Laird, Dean Lees, Gregory Mayea, Michael McMahon, Bruce Miller, John Patrick, Brent Shea, Jay Simons, David Sparks, Daniel Tangredi, Randall Trineer, Ronald Wickens, Derek Wood and Peter Zinchuk.

Without their contributions our society would not be safe.

SCHOOL BUS SAFETY

Mr Pat Hoy (Chatham-Kent Essex): Later this week I will be debating my private member's bill, an act to protect Ontario children who ride school buses, for second reading. Exactly four years ago, this same bill received the unanimous support of the Ontario Legislature and was referred to committee, but the Mike Harris government refused to allow it to proceed.

Seventeen-year-old Ryan Marcuzzi was killed in a senseless school bus accident. Her mother, Colleen, said Harris did the political thing, not the right thing. It has been more than four years since I first introduced my bill—four years of lobbying. I have gained support from local, provincial and national organizations for it: the Police Association of Ontario, the Ontario School Bus Association, the Canada Safety Council, the School Bus Operators' Association of Ontario and the Federated Women's Institutes of Ontario, to name a few. It has been four years of waiting for the Harris government to introduce a meaningful deterrent to protect our children from reckless drivers who pass school buses illegally. I have delivered over 30,000 petitions to this government supporting my bill. I am proud that the Marcuzzi and Loxton families support Bill 24. They have lived a nightmare of losing a child because an irresponsible driver refused to obey the law.

School bus drivers and operators understand the need for vehicle liability. They know this government has its priorities all wrong. This government must tell parents and school bus drivers why it refuses to give teeth to the law that would apprehend lawbreakers who threaten the lives of our children.

1340

EDUCATION LABOUR DISPUTE

Mr David Christopherson (Hamilton West): I rise to speak out on behalf of the children in elementary school in the city of Hamilton, where 40,000 students are not in the classroom as a result of a lockout by the school board of 2,300 elementary teachers, federation of Ontario members. I want to say to this House and to this government that the strike is tearing apart our community, which I believe is exactly what you wanted.

The teachers are entitled to a fair collective agreement. The trustees have a responsibility to ensure that the classrooms and the programs being provided meet the needs of our children.

Here's what the chair of the committee that is doing the negotiating said, and it's addressed to Janet Ecker:

"I am sure you are aware of the lockout/strike situation facing our elementary children here in Hamilton-Wentworth. My frustration is because of the inability of the bargaining process to occur within the limits of a funding formula that is restrictive in allowing flexibility in the process—a funding formula that continues to ignore the professional aid that is needed outside the classroom....

"Madam Minister, a society that neglects or exploits some of its members cannot endure and must not exist."

The fact of the matter is that parents want their kids back in school, teachers want the kids back in school and the board does. The problem is that there isn't enough money because you cut funding to education. You caused this strike, and it's your responsibility to step in, resolve it and put our kids back in the classrooms.

MUNICIPAL ELECTIONS

Mr R. Gary Stewart (Peterborough): I rise today in this House to commend the many people who allowed their names to stand in yesterday's municipal elections across Ontario. We all know the importance of having quality candidates from which the electorate can choose. We also know the importance of getting the electorate out to vote to voice their approval or disapproval of the issues put forth by our politicians. It is important for the integrity of our democracy to ensure that the will of the people is expressed and accurately recorded.

Elections don't just happen. It takes many volunteers who help in a campaign or who help out on election day or with the advance polls. I would like to thank all those who give so readily of their time in pursuit of their beliefs. I would also like to congratulate all those who were successful in their bid for a municipal seat.

I personally look forward to working with those elected in the riding of Peterborough over the next three years.

EDUCATION LABOUR DISPUTE

Mrs Marie Bountrogianni (Hamilton Mountain): I'd like to join with my colleague from Hamilton West and voice my concern over the strike in which 40,000 children in Hamilton-Wentworth public schools are at home. We are entering the third week of this strike, and there will be consequences for these children's education.

Because of this government's cutbacks—\$1,000 per pupil—and because of the dysfunctional funding formula, the board's hands are tied. There is absolutely no flexibility for negotiating. Parents are frustrated, and they have taken this matter into their hands. They have approached our office with a petition which will take effect today. I'd like to read part of the petition. This comes from parents.

"Whereas our children are not receiving the quality education they deserve and for which we as parents and taxpayers have already paid; and

"Whereas the government has cut \$1,000 per pupil from the education budget;

"Therefore, be it resolved that the government of Ontario immediately become involved to reinstate appropriate funding to ensure that our children return to their classrooms to receive the quality education to which they are entitled and which has been paid for by the taxpayers of Ontario."

Lorrie McKibbin, a parent from Stoney Creek, started this petition. We're gathering thousands of signatures. Parents have taken this into their own hands because the government is washing its hands of the responsibility of putting our kids and our teachers back in the schools.

MUNICIPAL ELECTIONS

Mr John O'Toole (Durham): I'm sure I join with all members of the House in recognizing the people who

stood for public office over the last few days in the municipal elections. I personally want to thank them for their willingness to serve the public.

In my wonderful constituency of Durham, voters chose a strong slate of candidates to form our local and regional governments. John Mutton, whose family roots are well established in our area, was elected as the new mayor of the municipality of Clarington. Jane Rowe, Don MacArthur, Pat Pingle and Gord Robinson were elected to the Clarington council, while Jim Schell and Charlie Trim were chosen to represent Clarington at the region of Durham.

In the township of Scugog, mayor Doug Moffatt was re-elected, defeating Howard Hall, a former mayor at one time. Larry Corrigan, Marilyn Pearce, Jim McMillen, Dave Dietlein and Charlie Norris were elected to Scugog council, and Ken Carruthers was chosen to represent Scugog at the region of Durham.

Finally, in north Oshawa, Clare Aker was re-elected, and John Neal, who is new to the Oshawa council, was elected in wards 6 and 7, and Louise Parkes was elected in the combined wards 5 and 6.

I want to take this opportunity to offer special thanks to Mayor Diane Hamre, who served the municipality of Clarington so well for so many years, and I wish all representatives the very best in the years ahead. I look forward to working with them, as I'm sure all members do, to bring good government and accountability to the people who elect us.

GOVERNMENT APPOINTMENTS

Mrs Marie Bountrogianni (Hamilton Mountain): Mr Speaker, on a point of privilege: On Wednesday, November 8, my assistant received a piece of e-mail correspondence alerting us to the fact that on the government's Web site the Public Appointments Secretariat, pursuant to order in council 1769/2000, would be seeking members for the Post-secondary Education Quality Assessment Board. You will be aware that the legislation which creates this same Post-secondary Education Quality Assessment Board is still in debate. In fact, the government is holding public hearings on this legislation on November 20, 22 and 29. This legislation must also still pass third reading and receive royal assent.

Ministry officials informed our contacts that the quality assessment board was created by OIC in September. Does this not make the public hearings and in fact the entire function of third reading empty of meaning and merely for show on the government's part?

There are a number of past similar cases which bear reference here. Mr Broadbent made similar points and comments in a case raised by Mr Bud Wildman. The member for Algoma said: "There surely is a contempt of Parliament by proceeding with these ads before Parliament has agreed. Beyond that there is a contempt for the people of Canada if they say they are going to have hearings across the country and not pay the slightest attention to what the people of Canada have to say."

A similar case was brought before this House in 1997 with regard to pamphlets being distributed which assumed the passage of Bill 103. At that time the Speaker ruled that there was a case of contempt to be found. Although there are no pamphlets in this case, once again the government is acting in advance of the passage of certain legislation to set up committees and boards to carry out work which is not legal until the passage of certain pieces of legislation. In that case, Justice Brennan ruled, "I conclude that the orders in council were made without authority and are of no legal effect. The appointments are therefore void."

I ask the Speaker to investigate this matter and to inform this House and myself whether by circumventing the legislative process this government has shown contempt for democracy in Ontario.

The Speaker (Hon Gary Carr): I thank the member for her point of privilege, and I will reserve a ruling on that.

TIME ALLOCATION

The Speaker (Hon Gary Carr): On Wednesday, November 1, the House leader of the official opposition rose on a point of order to question the orderliness of the government's notice of motion number 70, a time allocation motion on Bill 69.

The member contended that the motion should be found to be out of order since it provides for Bill 69 to be recommended to the standing committee for clause-by-clause review, for the purpose, in his view, of "changing the substance of the bill ... and in effect introducing a new bill, a completely different bill, with no opportunity to debate."

The House leader for the third party also made a submission wherein he asserted that the government's intention in time-allocating Bill 69 and recommitting it for clause-by-clause was to amend the bill so extensively that it would emerge from committee as a substantially new proposition, one that had not had sufficient debate. If this were to be allowed, the member contended, then by using this procedural mechanism the government would, in effect, vicariously be able to substitute previous debate on the bill.

The official opposition House leader also expressed concern with the provision in the motion that states, "in the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported and received by the House."

Let me address these two concerns in reverse order by stating, firstly, that all members will know that time allocation motions are nothing new to this House. They have been used with some regularity for well over a decade. Such motions are clearly permitted in our standing orders. The provision in the motion in question that deems the bill to be passed by the committee if it is not reported by a specified date is not a novel provision.

Identical clauses have appeared in numerous previous time allocation motions as far back as 1989.

On the issue of the members' arguments about what Bill 69 might look like when it is returned from committee compared to its current form, I can only say that this is a very speculative concern and really has nothing to do with the orderliness of the motion, sitting on notice, of time allocation on the bill. The scenario raised by the two opposition House leaders is hypothetical and therefore beyond the competence of the Speaker to render judgment. Additionally, the orderliness of any amendments to the bill in committee will be determined at that time by the committee Chair.

I find the time allocation motion itself, government notice of motion number 70, to be in order.

1350

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Marcel Beaubien (Lambton-Kent-Middlesex): I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

Clerk at the Table (Mr Todd Decker): Mr Beaubien from the standing committee on finance and economic affairs presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill, without amendment:

Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties / Projet de loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated Tuesday, October 24, 2000, the bill is ordered for third reading.

MOTIONS

HOUSE SITTINGS

Hon Frank Klees (Minister without Portfolio): I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Tuesday, November 14, and Wednesday, November 15, 2000, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

VISITOR

The Speaker (Hon Gary Carr): Just before we begin question period, I'd like to take this opportunity to invite all members to welcome to our chamber a special visitor who is seated at the table, Mr Bruce Jamerson, who is the Clerk of the Virginia House of Delegates.

ORAL QUESTIONS

AMBULANCE SERVICES

Mrs Sandra Papatello (Windsor West): My question is for the Minister of Health. On January 1, municipalities will be handed by you the responsibility to deliver ambulance services across Ontario. The cities and towns don't want it. Dalton McGuinty and Ontario Liberals have argued that this is the kind of service that ought to be managed by the province. In many cases the cities and towns feel they don't have the expertise or the dollars to run the system. Local paramedics in Kingston, for example, have said that you are downloading a system that's on the verge of collapse. In Ottawa-Carleton, the regional medical health officer said that the ambulance system in Ottawa is so slow, the response times so poor, that 100 lives per year are being lost. That's before the downloading.

Minister, response times count. What paramedics can do on the scene immediately is essential and is the key: the quicker the ambulance arrives, the more likely the people are to live. What guarantees are you providing that after the downloading our towns and cities will have everything they need to improve response times and everything they need to guarantee enough paramedics to do the job?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As you know, the government did extend the transition time for municipalities to assume responsibility for ambulance services by one year, to January 1, 2001. There has been a committee very hard at work to take a look at all of the issues assumed with the transfer of the responsibilities. The work, I am pleased to say, will continue to take place over the course of the next year as the government continues to work with municipalities in order to ensure that there will be high-quality, responsive and seamless land ambulance services provided.

As the member knows, we will continue to set the licence operators. We will continue to set the standards and monitor the ambulance service and training standards.

Mrs Papatello: Minister, there are towns and cities now that don't meet the provincial standards. You've hardly had a hand in fixing that.

Let me tell you what's happening in Brampton. The fire department in Brampton is now collecting data to present to its new city council. That data is very frightening. It is instances that show that the public is at risk. That's already happening today in Brampton. For example, during this transition period to your January 1 deadline, there are instances where ambulances are arriving without oxygen, without collars—the basic supplies. The firefighters also on the scene watch in utter amazement while they hear the excuse, "We're out of supplies." Ambulances are arriving with one paramedic. At certain non-peak times, there is one ambulance considered on service in Brampton, with 325,000 people. There are more than half-hour waits because ambulances have to come from Toronto when required.

My question is, are you doing the right thing? Are you certain you are doing the right thing by the people who live in Brampton and in the rest of Ontario when you download this ambulance service, considering the chaos that already exists?

Hon Mrs Witmer: The government and the municipalities have reached an agreement on a funding template for ambulance costs. At the request of the municipalities, in March 1999 our government assumed half, a 50-50 sharing, of the approved costs of ambulance services. We have indicated that we will honour our funding commitment and we are also providing 50% of the funding for incurred costs for provision of services in 1999. As the member may or may not know, we are providing 100% of the funding for dispatch services.

However, I would also add that the government and the members of the municipalities will continue to meet over the course of the next year in order to ensure that there are appropriate standards. They will review the service standards and they will ensure there's a smooth transition.

Mrs Papatello: Let's talk about Mississauga. They are now collecting data to count how many times the ambulance arrives with one paramedic, the driver. How does one paramedic arrive, jump out from behind the wheel, carry the IV bottle, drag the stretcher, the collar, the oxygen, defibrillate, do CPR, all of those things, one driver who arrives on the scene? How do they do it? They can't.

That's why Mississauga is now collecting data that counts how many times the fire trucks are out of service because the firefighters have had to jump on the ambulance and go with the ambulance to the emergency ward. Guess what? They don't get a ride back.

This same thing is happening in Brampton. In Brampton, the deputy fire chief is currently negotiating with a cab company in order to get a better rate to go pick up the firefighter because it is cheaper than sending the fire truck to go get him from the emergency ward. This is the instability in the system that you've caused. For example,

Brampton has lost 46 key trained paramedics because there is no stability in the system.

I ask you again, are you doing the right thing by downloading ambulance services on to cities and towns when already in metropolises like Mississauga and Brampton we have this kind of chaos?

Hon Mrs Witmer: I think it is unfortunate that the member opposite seemed to think this was somewhat amusing. We don't find it amusing. Our government is working with the municipalities in order to ensure that there is a seamless transition, in order to ensure that we continue to provide a high-quality, responsive and seamless land ambulance service throughout Ontario.

1400

MANDATORY DRUG TESTING

Mr Michael Gravelle (Thunder Bay-Superior North): My question is to the Minister of Community and Social Services. Today you unveiled your mandatory drug testing plan, a plan that has certainly more to do with welfare-bashing than it does with any honest attempt to deal with the complex issue of addiction. You know there is not one jurisdiction that has implemented mandatory drug testing with any success, not here in Canada and not in the United States. The reasons for that are very simple: this is a grotesque abuse of power, a transparent, cynically motivated political move and a stunning violation of human rights. While your government continues to perpetrate the myth of rampant and prevalent drug abuse among people on social assistance, it's pretty clear the only thing running rampant are the vicious steps your government will take to bash those who fall on troubled times.

My question is this: in light of the fact that studies have shown that drug abuse is no more prevalent among welfare recipients than among other segments of the population, why are you once again attacking our most vulnerable citizens?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): Why don't we put aside the rhetoric the member opposite speaks of and look at the facts? This government wants to provide supports to people on social assistance to realize the dignity that comes with a job, the pride that comes with independence. We want to provide that help in whatever form it can be, whether it's literacy training, whether it's job skills, whether it's basic education, whether it's a workfare placement, whether it's other skills or upgrading, or whether it's job search courses.

We don't want to write anyone off. We have a certain number of people on social assistance who are addicted to drugs, who need help. What does this government want to do? We want to be able to provide them with that support. We want to provide them with treatment so they can realize the dignity that comes from moving from welfare to work.

Mr Gravelle: What is abundantly clear is this government doesn't want to deal with the real barriers to employment faced by people on welfare, challenges such as the need for child care, employment supports and the rising cost of living.

Let me be very clear. Mandatory drug testing has been a disaster wherever it has been contemplated. In Michigan, the courts have thrown out the Republican governor's plan to implement mandatory testing, not once but twice, the second time as recently as this September. The courts have concluded that mandatory drug testing of welfare recipients is a grossly unfair intrusion into the lives of people whose only crime is being poor. In fact, Ontario's human rights commissioner, Keith Norton, someone this government should be listening to, has already expressed his concerns very clearly about this plan. He told your government that our Human Rights Code does not allow people to be discriminated against because of an addiction.

Minister, this is more than a slippery slope you are on; it's a gross abuse of power. Why is your government willing to violate the human rights of any Ontarian?

Hon Mr Baird: Our government wants to be able to provide that hand up to someone who so obviously needs help. The member opposite's view is that we should do nothing. He thinks that's fair. Do absolutely nothing. If someone goes into a welfare office, high on drugs, just turn your back and hopefully it will go away. What do I say to the caseworker I spoke with last year who told me that someone on welfare has been coming into her office month after month, year after year, with track marks up and down her arm? Do we simply turn our back and leave that caseworker powerless to be able to provide help and simply watch that woman shoot her welfare cheque up her arm? That option is not an option for this government. We want to be there to provide the support and the treatment necessary to help that person realize the dignity that comes with a job.

Mr Gravelle: Minister, you are absolutely unbelievable. If this was truly about being interested in helping people, you'd be more interested in dealing with the fact that Ontario's addiction centres, which have not received a base funding increase in over six years, are not able to even deal with the demand for voluntary treatment. If you want to help, fund the addiction centres.

The reason this government is not addressing those realities is because this nasty announcement today is not about helping people. It's about welfare bashing and knocking those people on welfare one more time. This is an ugly move by our government of the day. Mandatory drug testing is likely illegal and is clearly a violation of our treasured Ontario Human Rights Code.

Minister, are you prepared to go to court, at great expense to taxpayers, to advance your latest attempt to bash the poor? Will you do something else to help the process? Can anything stop you from attacking the poorest and most vulnerable people in our province? What will you do to positively change this? Get rid of this plan. It's a disaster; it's a farce.

Hon Mr Baird: It's hard to take the Ontario Liberal Party seriously. They keep changing their minds and flip-flopping.

Hon Dan Newman (Minister of the Environment): What does Dalton say?

Hon Mr Baird: "What does Dalton say?" the member asks. Here is what Dalton McGuinty said. When asked about his opinion on drug testing, he said, "No, I'm not against the idea." Only two days later, Tim Murphy, president of the Ontario Liberal Party, came out and said, "In fact, McGuinty's policy is supportive of drug treatment." But that was then and this is now. The Liberal Party says one thing before the election, when they are seeking votes from the people of this province, only to flip-flop and make me dizzy after election day. Come clean and tell us your policy.

MEMBERS' COMPENSATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Acting Premier. The public is outraged at your stampede to the gravy trough for a 42% pay increase for MPPs.

Let me get this straight. Your policy for workers on the minimum wage is to freeze their income for six years. Your policy for the poorest citizens in Ontario, those who have to rely on social assistance, is to freeze their income for five years. Your policy for daycare workers, teachers, education workers, nurses and health care workers is 2% or less. But your policy for yourselves is, "Get to the trough and get 42%." How do you justify that?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I know the House leader, who has been dealing with their House leader, wants to answer this question.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): There is a variety of options that various members of the Legislature have been considering with regard to MPPs' compensation. I might point out that during the 1990s, MPPs' salaries were reduced on two occasions, by 5% and 5%, and that over the last 20 years, while public service salaries have increased by about 96%, MPPs' salaries have increased by 46%. I think all members of the Legislature and the public would agree that some readjustment to MPPs' salaries has to be done, and we are considering options at this particular time.

Mr Hampton: I need to be really clear about the record. It is your government that is putting forward a 42% increase proposal. It is your legislation, not anyone else's. I want to remind this government that you are the people who in 1994 and 1995 went across the province and said you were going to reduce the salaries, you were going to reduce the incomes. Now that you are at the trough, the hypocrisy comes out. You want to increase—

The Speaker (Hon Gary Carr): Order. The member can't use that word. You will have to withdraw it.

Mr Hampton: I withdraw.

The doublespeak comes out. Now that you are at the trough, you want a 42% increase. You want to increase the pensions and increase the incomes for each and every one of you, but at the same time you want to freeze the minimum wage, frozen for six years; freeze the incomes for people who are the poorest in the province; limit those people who are working very hard in our hospitals and our schools to 2% or less. How do you justify your pig-at-the-trough attitude?

Hon Mr Sterling: The leader of the third party is referring to one of the options which would put us at a parallel with the federal MPs of this country. Some members of the Legislature felt that MPPs and MPs should be getting paid the same because they represent the same number of people, the same geographic areas etc.

The MP parity bill has not been introduced by this government to this Legislature. We will consider what options are available. I am continuing to talk to the opposition parties to try to get some degree of agreement before we proceed, and when that process is completed, that's the point at which we'll put forward a piece of legislation.

1410

Mr Hampton: This is the government that says that the people who have responsibility for our schools, trustees, should have their incomes limited to \$5,000 a year. This is the Premier who stumped across the province and said that he was going to lower the incomes. Now this is the Premier who wants to have an income higher than the Prime Minister. Such incredible doublespeak the citizens of Ontario have never seen.

I want to ask the minister again, what is the justification for freezing the minimum wage for six years? Freezing the incomes of the poorest for five years? Telling teachers, daycare workers, hospital workers and ambulance paramedics that they are limited to 2% or less, but you deserve a 42% increase. Tell us, what's the justification?

Hon Mr Sterling: I don't feel it's necessary to justify something which we have not put forward in legislation here in the House. We have put forward four or five options with regard to dealing with this issue, and I'm continuing to talk to them.

Now, I would remind the leader of the third party that after the last provincial election I was one of the three individuals who was involved in negotiation regarding party status. At that point in time—

Interjections.

The Speaker: Order. Member, take a seat, we'll wait. Most of the banter is being done with humour, but still it's far too noisy.

Hon Mr Sterling: I just wanted to remind the leader of the third party that because of the determination of the House at that particular time, his salary and the salaries of, I believe, seven of his caucus were substantially increased because they were asking for party status. So the people who have really got a raise during this Legislature have been the NDP.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton West): My question is to the Minister of Labour. When you introduced Bill 139 last week, there were a lot of people in the province who wondered why you would introduce such a potentially disruptive labour bill during a time when the North American economy is booming. Further, when we look at Bill 69 and the trouble and disruption that's likely to cause, we ask ourselves, why would you do this?

Well, isn't it interesting, when we start to look, that your party, since 1995, has received \$12 million in political contribution from the corporate sector in Ontario, and further the eight general contractors that are the specific bonanza winners as a result of Bill 69, which you're shutting down debate on today, this afternoon, they contributed over \$107,000 to your party.

Minister, my question to you is this: how can you in all good conscience call political payback to your corporate friends workplace democracy, when all it really means is that workers are going to lose their jobs using their right to organize into a union? How can you do that, Minister?

Hon Chris Stockwell (Minister of Labour): Making that presumptive argument would then mean that while you were in power, the money you received from the unions in this province directly impacted the legislation you passed, such as Bill 40. Your suggestion at the time was, "Those positions the unions took by giving us money gave them no special preference." Well, I for one believe you, and I offer the same argument today. People can give money to the Conservative Party as well as the Liberals and the NDP, and many do give to all three parties. But there isn't any way, shape or form that any donation to this party can dictate or control legislation we introduce in this House.

The fact of the matter remains, I'll further put, that as far I know, the eight generals in Ontario that you spoke about before are certainly not overwhelmed or excited about Bill 69. They're not endorsing it. They said they don't endorse it. So I don't understand where you make the equation. They may have given us donations, but they're not happy about Bill 69.

Mr Christopherson: Minister, the reality is that your government has been bought and sold so many times that I'm surprised you haven't been auctioned off on eBay.

If you want to talk about contributions, let's talk contributions. You've received over \$12 million from the corporate sector since 1995. In that same length of time, the unions contributed \$450,000 to the NDP, which represents 3.8% of the total political contributions you received from the corporate sector. The fact of the matter is that \$12 million screams really loudly to this government. We want to know why you think it's OK to sell off a worker's rights just so your party can receive \$12 million in corporate contributions. How can you call that workplace democracy?

Hon Mr Stockwell: Mr Speaker, the tone is ridiculous, absolutely ridiculous. The charge is absolutely absurd. The best thing that ever happened to the workers in this province was electing the Conservative Party of Ontario.

Interjections.

The Speaker (Hon Gary Carr): Stop the clock.
Minister of Labour.

Hon Mr Stockwell: The best thing that happened was electing us, simply because now the workers of Ontario are working, which is what they weren't doing under the NDP. Nobody on this side is going to apologize for any of our labour legislation. It's been good, it's been progressive and it's put people back to work. Unemployment was at double digits under you. Welfare rolls were expanding. I don't know where you get off trying to tell us that what we do isn't good for the workers when there is money in their pockets, bread on their tables and they have jobs to go to.

HOSPITAL FUNDING

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. At the Ontario Hospital Association's annual meeting last week, you stated that Ontario hospitals now have stable funding. Nothing could be further from the facts. Your announcements of new funding are being made eight months into the budget year. Hospitals have had no idea of what their budgets are or will be, and they're still not sure.

The lack of stable funding has meant that many hospitals are hiring private agency nurses at almost twice the rate of a senior staff nurse. You can't hire full-time nurses if you don't know how much money you're going to have. Toronto's largest hospital was forced to lay off half of its allied professionals earlier this year because they didn't know what their budget was going to be. Now they have some additional money, but the people are gone and they're not available to be rehired.

Minister, I ask you today, if you are serious about stable funding, will you guarantee as a starting point that no hospital will receive less next year than it is receiving today?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): We're simply seeing more of the fearmongering that this member began prior to constituency week. We are now at the highest level of funding for hospitals that we have ever seen in the history of Ontario. We are at \$8.2 billion. If the member had seen the applause and the appreciation from the hospitals that was exhibited last week, and certainly in the communications that we've received, she would recognize they are grateful for the progress that has been made, as we have worked co-operatively with the Ontario Hospital Association and responded to their concerns and their issues. I am pleased to say that this year we are providing \$8.2 billion in funding, the highest ever.

1420

Mrs McLeod: But the problem, Minister, is that not only will you not guarantee stable funding for individual hospitals, you won't even guarantee that the total amount of money you're spending on hospitals isn't going to be cut next year. Hospitals do not know what funding they're going to get and they don't know why some hospitals are getting funding and some are not getting funding.

I remind you that last spring you took over the Hamilton Health Sciences Centre. You said they were irresponsible because they were running a \$42-million deficit. You fixed that problem. You fixed it by funding the entire \$42 million. Last month, an angry St Joseph's Hospital in the Hamilton area met with their local member, your parliamentary assistant, to ask why their deficit hadn't been addressed. Mr Clark said that it was just an administrative oversight, a mix-up. He assured them that their deficit problem would be fixed in the next round of announcements. It was, and we're glad of that. But why not fix the deficits at Soldiers' Memorial in Orillia or Sudbury General or Kingston General? Do they have to get more political in order to get more money?

You have not brought in the new hospital funding formula that you promised last spring. In the absence of that funding formula, will you tell us, how are you deciding which hospitals are winners and which hospitals are still losers?

Hon Mrs Witmer: This member is really quite irresponsible in some of the comments that are being made. I would just remind the member that there were three allocations of money that were set aside for hospitals. There was the first funding announcement of \$471 million, there was the second funding announcement related to growth funding, and there will be a third announcement, which will be made later this month, related to priority program funding.

Funding is provided to hospitals based on the operational plans that they submit to the ministry, and also in response to the actual services that are being provided.

Also, if you want to talk about the new funding formula for hospitals, that funding formula is at the point where we have been asked by the Ontario Hospital Association if they could have one more opportunity to review it. So we said, "Yes, if that's what you request, one more opportunity to review it with your members, we would support that," as opposed to imposing it without that one more round.

EDUCATION LABOUR DISPUTE

Mr Brad Clark (Stoney Creek): My question is for the Minister of Education. As you're aware, the Hamilton-Wentworth District School Board is embroiled in a labour dispute with the elementary school teachers. The strike/lockout is now 12 days old, with neither side moving toward negotiations. Both sides are stuck in their own positions. I have fielded hundreds of phone calls from parents in the last 24 hours who are angry and want their

kids back in school. They want back-to-work legislation and I want back-to-work legislation. Will you introduce back-to-work legislation?

Hon Janet Ecker (Minister of Education): I appreciate that the member for Stoney Creek has spent a great deal of time on the weekend talking to parents about this particular issue and is certainly concerned about what is happening. The parents, as I understand from the honourable member and the feedback we've received, are very clear: they want their children back in the classroom, and I certainly agree with that.

Actually, many boards and unions across this province have already made agreements, made settlements, without disruption to classrooms, and I think these two parties here would be well advised to follow that model. We've certainly encouraged them to do that. The school board has the monies available to do that deal. But if that is not possible, we would certainly be prepared to look at other options, including back-to-work legislation.

Mr Clark: There are 12 days lost. With the new curriculum, the parents in my community believe, and I agree, that they can't afford any more time off for their children. The opposition members are bellowing in this House that it's a question of money, yet the union leader says that the board has the money. The opposition opposed back-to-work legislation. They're willing to risk the children's year. I'm not. I ask you again, when will you introduce back-to-work legislation?

Hon Mrs Ecker: Just to confirm, the school board has had an increase in their resources of almost 6% this year, even though their actual student enrolment only went up less than 1%, so they have had a significant increase in the resources they have. This is indeed the view that we've seen in media reports, where all of the parties seem to be indicating that the bargaining process has broken down. If that is indeed the view that is confirmed, we are prepared to take a look at whether we should do back-to-work legislation. I'd like to assure the honourable member that we need to make that decision very, very quickly because parents want their kids in school and that's indeed where they should be.

The Speaker (Hon Gary Carr): New question.

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Education. I want to ask you about the strike in Hamilton as well. Despite the rhetoric and the bullying and the threatening from across the floor, the reality is that you are responsible for the situation. You wanted control of the education system in this province. You changed the funding formula. You decided how much money school boards were going to get. You are responsible for the strike in Hamilton right now.

The reality is this: under your watch and your government's watch, funding for students in the Hamilton board of education has dropped by an average of \$1,100 per student since 1995. That's your stats, your information. Instead of threatening back-to-work legislation, instead of threatening to continue to divide and split our community, instead of the tough, bullying talk, will you today commit to restoring the \$1,100 per student that you

stole out of the education system in Hamilton and end the strike today?

Hon Mrs Ecker: I appreciate the honourable member's asking for special funding treatment for his board, but this board has already received additional monies this year, more than their student enrolment—actually, significantly more than their student enrolment. It's interesting. They've been able to settle with their secondary teachers. There are many other school boards across this province that are settling, making arrangements with both their elementary and secondary teachers without disruption in the classrooms. It is not acceptable that this disruption is continuing for as long as it is. I hope the honourable member, should we decide to bring in back-to-work legislation, would be prepared to support it on behalf of the parents in this community.

Mr Agostino: What I'm prepared to support is an attempt by your government to bring in the type of funding that's necessary to allow the school board to get those teachers back into the classroom.

Ray Mulholland, the acting chair of the salary committee who, frankly, knows more about education than your whole caucus combined, said, "My frustration is because of the inability of the bargaining process within the limits of the funding formula, which is restrictive. My disappointment is to you, Minister Ecker. I find it difficult to negotiate with one hand tied behind my back." That is a quote from trustee Ray Mulholland.

The reality is, as much as you and your parliamentary assistant and your friend from Stoney Creek are going to try to bully and intimidate the teachers and the parents and the board, you are responsible for this. You've got to acknowledge the fact that the money you've cut out of the educational system in Hamilton is exactly the reason why there's a strike and a lockout today. I ask you again, for the sake of the community, for the sake of the children, for the sake of education in the city of Hamilton, will you today commit to restoring the \$1,100 per student that your government has cut since 1995 from the Hamilton board of education?

Hon Mrs Ecker: One, as I said, there has been an increase in resources for this board.

Secondly, I really find the hypocrisy—excuse me; I shouldn't use that word, but the change in position from the caucus across the way. When I had teachers standing out in front of my constituency office wanting to go back into the classroom, do you know who was standing there saying, "No, no. Don't go back to the students"? A Liberal member of this caucus saying no. When we had teachers out there walking the line, when we had teachers out there depriving students of their services in the classroom, who was walking the line with them? Dalton McGuinty. So I have some difficulty with now, because it's in his home community and all of a sudden he's getting phone calls from parents—I gather the member from Stoney Creek spends more time answering those phone calls—now all of a sudden he's saying, "Oh, please fix it."

We are listening to the parties involved. We will take the appropriate steps. We believe those children should be back in school. That's certainly what the parents want.

1430

PAROLE SYSTEM

Mr Garfield Dunlop (Simcoe North): My question today is for the Minister of Correctional Services. Minister, once again I was appalled to read in the newspaper about another offender being released on early parole from a federal institution. It seems unbelievable that the federal Liberal government would ignore the impact of crimes felt by victims. Patrick Kinlin embezzled millions of dollars from trusting clients, many of them senior citizens. Now he's being released on early parole by the federal Liberal government because his offence did not involve violence, if you can actually believe that. This man destroyed the lives of many clients. Minister, what do you say about a system that uses a yardstick of violence and not the impact on victims in the decision to grant day parole?

Hon Rob Sampson (Minister of Correctional Services): I thank the member for Simcoe North very much for the question. I too was appalled when I read in the paper that the federal Liberals had indeed—

Interjections.

The Speaker (Hon Gary Carr): Order. Minister.

Hon Mr Sampson: I hear the Liberals bellyaching across the floor and I say to them that I was appalled that this individual was released after having served approximately five months of a sentence. We had been saying for a number of months that the Liberals have this quota where they have been trying to flush inmates out of correctional institutions into community sentencing. This only goes to prove that indeed they do have that quota because they did let this individual out who had committed some very terrible crimes before serving even the slightest portion of his sentence. I find that appalling. I know you find that appalling and I think the majority of people of this province and this country find that appalling. I encourage the Liberals who are bellyaching across the floor to stand up and say it's appalling—

The Speaker: Order. The minister's time is up.

Mr Dunlop: Thank you very much for your response to that, Minister. It's reassuring to know that our government is on the side of law-abiding citizens, unlike our federal Liberal cousins across the way here.

Minister, the articles in the Toronto newspapers have also touched upon escapes, most recently that of a 73-year-old cop killer. In fact, it seems that every week we read about cop killers being released on early parole by these people. I am shocked that the federal Liberal government would let a violent offender who's a career criminal sentenced initially to death back in the 1970s work at a humane society outside of the minimum security institution, where he simply strolled away.

Our government recently expanded our prisoner work program. Can you assure the citizens of Ontario that a situation like this will not happen under you?

Hon Mr Sampson: I thank the member for Simcoe North for the question. Yes, we do believe in work programs. We believe in work programs because we think it's helpful for the inmate to learn what it is to have a hard day's job, to work for our community, to pay back society for the crimes they've committed. But of course our programs relate to those individuals who are serving the back part of their sentence, generally 60 to 90 days left in their sentence. We think it's important for those individuals to be out working. They are fully supervised while they're on their program, which is a policy we've put in place. We think work programs are helpful. The federal Liberals of course believe that they should be flushing the system of convicted criminals and emptying their jails, because that's their policy. They don't have the regard for victims of crime that we do.

I say again to my colleagues across the floor, the members from the Liberal bench, that you stated just last week that you believed jail should be jail. I say to you, stand up and say—

The Speaker: Order. The minister's time is up.

HAZARDOUS WASTE

Ms Marilyn Churley (Toronto-Danforth): To the Minister of the Environment, the people of Ontario want to know what's going on with organized crime in the hazardous waste business. Under your government, hazardous waste imports in Ontario have increased by 138%. Ontario has become a magnet for toxic waste. It's seen as a cheap dumping ground with weakened environmental laws and little enforcement capacity.

I remind you that it was your government that devastated the Ministry of the Environment by cutting staff in inspection and enforcement alone by 28%. The government's message has been, "Ontario is open for toxins," and it looks like some pretty shady operations are taking advantage of that.

Minister, tell us how much toxic waste is being dumped illegally by the Mob in Ontario?

Hon Dan Newman (Minister of the Environment): I want to say to the member opposite that this government is indeed committed to maintaining and enhancing environmental protection in our province. That's why the treatment of hazardous waste is an important issue that we take very seriously. That's why in September 1999 my ministry took immediate steps to strengthen our hazardous waste regulation and requirements. On September 17, 1999, my ministry announced a six-point action plan to strengthen our hazardous waste regulation and requirements for hazardous waste facilities in our province. The action plan included revising the hazardous waste manifesting requirements and regulation to be the toughest in our province's history. That's why last week, on November 7, we announced the last stage of our six-point action plan.

The changes deliver on our government's promise to strengthen and modernize the regulation to make it comparable to and compatible with neighbouring US jurisdictions. The list of chemicals included in the toxicity characteristic leaching procedure schedule put Ontario—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary.

Ms Churley: This CISO report said very specifically that things have gotten worse under your government, and your six-point plan doesn't even come close to meeting the requirements of the US plan. You have been told that.

Under the NDP government, the MOE, the MTO, the OPP and Metro Toronto police began a major investigation. Measures were being developed. Then you came into power and your government cut the Ministry of the Environment staff by 28%, the very people who had the expertise to deal with this.

Will you now admit that your government was wrong to have slashed the Ministry of the Environment's budget and gutted its enforcement capacity, and will you now commit to hiring back at least 500 new environmental enforcement officers to fight problems like the Mob involved in bringing hazardous waste into our province?

Hon Mr Newman: The changes we made to our hazardous waste regulation include replacing the outdated leaching test that determines whether or not waste is hazardous. Our new toxicity characteristic leaching procedure test is more accurate when testing for organic contaminants.

We've also updated the number of contaminants on our list of hazardous materials in our province. We've added 88 chemicals to the list of 31, putting Ontario ahead of the 40 chemicals found in the US regulations. We've also added a derived-from rule similar to that of the United States EPA. Now hazardous waste will always be considered hazardous no matter has happened.

Interjections.

The Speaker: Will the minister take his seat. Would the member for Brampton Centre come to order.

Interjections.

The Speaker: Last warning to the member for Brampton Centre, and Toronto as well.

If you want to carry on your conversations, do it outside. We can't hear in here. Minister of the Environment.

Hon Mr Newman: Criminal investigations are the mandate of police agencies. We work very closely with the proper authorities to provide information on the environment to ensure that our resources get the protection they deserve. That's why in 1997 the Ministry of the Environment formed an intelligence unit within our investigations and enforcement branch. When appropriate, our branch will co-operate with Criminal Intelligence Service Ontario and other enforcement agencies to assist in investigations where the environment may have been compromised.

1440

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Natural Resources. I want to return to an answer you gave the House about the native burial ground at Ipperwash Provincial Park. It is the heart of the matter at Ipperwash, and there is considerable evidence of a native burial ground.

You said, "We also have an archaeological survey of Ipperwash Provincial Park in 1972. That report indicated that there were no finds made and recommended that no further archaeological work of any kind be carried out there."

What you didn't tell us was that attached to that study, we've learned under freedom of information, was a study by your own staff that said this report cannot be used to say with authority that there are no burial grounds within Ipperwash Provincial Park. The methodology as described in the report would not uncover possible sites.

My question to you is, why did you deliberately say to the people of Ontario that you had a study saying there was no burial ground when you had attached to that a note from your own staff saying you couldn't reach that conclusion with that study?

Hon John Snobelen (Minister of Natural Resources): I thank the member for the question. The question he asked I believe over a year ago now was specific. If I remember correctly, he was alluding to reports that had taken place 20 or 30 years ago in the province. When he asked the question, I answered it accurately, and the answer remains the same.

Mr Phillips: Exactly. You said to the people of Ontario that you had a study indicating no burial ground. You had, at the time you made that statement, attached to that study a note from your own staff saying that you can't use this study to reach that conclusion.

We know that in 1937 an Ontario provincial engineer found a burial ground there and reported it. We know that you required that the crown drop 23 charges of trespass because they found that you had evidence of a burial ground within your records.

I go back to my basic question. You told the House that you had a study indicating no burial ground when you had attached to that study a memo from your own staff telling you, "Don't use this information because you can't reach that conclusion." I want to know today, why would you tell the House something that your own staff said was a conclusion you could not reach? Why would you deliberately say that to the people of Ontario when you knew it not to be true?

The Speaker (Hon Gary Carr): To the member, that is an accusation. He can't say that. He's going to have to rephrase that and withdraw that.

Mr Phillips: Why would you deliberately say to the people of Ontario something that the briefing note said was not the fact?

Hon Mr Snobelen: I would take exception to the way the member opposite has positioned this. In fact, I stand by what I reported to the House on that day. It was an accurate report. If there was any trickery done in this House on this issue, it was the representation by the member opposite on the day prior to that answer, I believe, when he represented that 1937 report as if it were a report done over the last short period of time. In fact, the member opposite refers to reports that are 60, 40 and 30 years old. I think they have been represented properly in the House.

ELDER ABUSE

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Citizenship, Culture and Recreation. Yesterday I read a newspaper report about another telemarketing fraud targeted specifically at seniors. As we all know, each year many seniors are victims of scams and frauds and lose literally hundreds and thousands of dollars. Minister, I know you've been working on a provincial strategy to combat elder abuse. Can you update the House on that particular strategy?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member from Peterborough for the question and I'd like to say that I know everyone in the House is concerned about telemarketing fraud and financial fraud that happens, especially with the seniors in Ontario.

Right now we're working on the elder abuse strategy, as was referenced a few seconds ago. Let me say that we're looking at three areas within the elder abuse strategy which we think are important as a result of round tables we've had, not only at Queen's Park but all across the province. We're looking at ways that we can educate the public so everyone is aware of all the different types of elder abuse, but especially about financial elder abuse. We're looking at coordinating communities' resources so that we have people in communities who can help seniors recognize when they are being taken advantage of. And the last thing we're doing is looking to train front-line staff. We believe if we work on all those fronts, we'll be able to reduce elder abuse in Ontario.

Mr Stewart: I'm pleased to hear that. I know over the last number of years I've had a number of calls from constituents in Peterborough over this particular situation, and I am becoming more and more concerned all the time as our population continues to age.

I've heard a lot about the consultation process for the creation of this strategy. I was hoping you could update the House on how you have undertaken the consultation process, and also let us know when we can expect to see this provincial strategy.

Hon Mrs Johns: I'd like to tell you that I'm working with a co-chair and a number of people from all across the province to put these round tables together and to consult with people. We've chosen a wide range of people because we believe it's not just the traditional

methods that will help us to minimize and reduce elder abuse across the province. We're working with postal workers who go to the front doors of people's homes. We're working with grocery companies to ensure that people are eating properly. We have worked with more than 60 different groups. As I said, we started in Queen's Park. We've moved out to different organizations and agencies, and we've had working group sessions throughout the last four to six months. We certainly hope we can introduce an elementary or a preliminary report in early 2001 and hear the results and comments from people all across the province as we move forward to having the first elder abuse strategy in all of Canada.

PROPERTY TAXATION

Mr Mario Sergio (York West): My question is to the Minister of Municipal Affairs and Housing. A small business recently moved from the south side of Steeles Avenue West in my riding of York West to the north side of Steeles Avenue West into the riding of Vaughan-King-Aurora in the city of Vaughan. This small business moved from a 46,000-square-foot location to a 64,000-square-foot location at a saving of over \$46,000 a year in assessment. This, Minister, is because of inequities that still exist in our taxation system. Can you explain to small business owners in the city of Toronto why they have to pay double property taxes on the same property across the street? I'm asking what advice you have for the many thousands of small businesses in the city of Toronto that are caught in the same situation?

Hon Tony Clement (Minister of Municipal Affairs and Housing): That's a very germane question. It would have been more germane yesterday, the day of the municipal elections when citizens throughout Ontario and of course in Toronto cast their ballots for their municipal councillors. The issue of taxation is an important issue for all citizens, and particularly at the municipal level.

There's a challenge, as I understand it, for the city of Toronto because their taxation system, when you compare it to other regions in Ontario, tends to overtax the commercial-industrial sector and undertax the residential sector. There is a particular plan that has been reached with the Minister of Finance, through the current value assessment system, to get to a fair and equitable solution, but if the honourable member has any particular problems in his riding, I suggest he take it up with his local councillor.

Mr Sergio: It's very interesting. Let me tell you that the existing system of taxation is putting a lot of small businesses in Toronto, tied to long leases, at a great degree of disadvantage and at a much lower level of competition. Your refusal to bring equity and fairness to the taxation system continues to penalize thousands of small businesses in the city of Toronto. It's your responsibility to see that small business in Toronto can compete with similar businesses in the rest of the province in a fair, equitable manner and with a level playing field.

In two weeks, your government or yourself will be releasing the new assessment figures for the year 2001. Will you tell the House today that the new assessment will indeed reflect the necessary changes, making the system an equal playing field with equal opportunities to compete, or will you tell small business people in Toronto to go elsewhere and let the high-taxed properties in Toronto sit empty? Now is the time to tell the small business people in Ontario and Toronto what you will do for them.

Hon Mr Clement: I can certainly assure this House that my honourable colleague the Minister of Finance has indeed undertaken and will deliver on the legislation required to deal with the situation, what is called the 10-5-5, to ease into a fair and equitable property tax system.

But the honourable member seems to be suggesting that it's not a zero-sum game. The honourable member surely knows that the quicker we get the fairness and equity on the commercial-industrial side means the quicker we're raising taxes on the residential side. If the honourable member says the position of his party is to very quickly jack up, at double-digit levels, the property tax of residential taxpayers in the city of Toronto, perhaps he should come clean with that in this House.

1450

ADVERTISING

Mr Doug Galt (Northumberland): My question is directed to the Minister of Consumer and Commercial Relations. Lately I've noticed that more and more of the beer and alcohol companies are using sexual innuendoes and suggestions in their advertising in an effort to boost the sales of their products. This is something that I know many of my constituents are very concerned about. Even though I realize that alcohol companies are targeting those who are 19 years of age and older, it's difficult to try and prevent young children from viewing this alcohol advertising on TV, in movie ads and even on billboards.

Minister, could you please tell this House what you've been hearing about these types of ads and how you feel about them?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I thank the member for Northumberland for the question. I'm also concerned with the recent trend toward suggestive advertising that liquor and beer companies seem to be using. While I understand that using sex in advertising is nothing new, I feel that some of these more recent ads are pushing the envelope.

I understand that the beverage alcohol industry is very competitive and that a provocative ad may be used to attract attention to their product. However, children can be exposed to this material very easily, and I think beer and alcohol companies should keep this in mind when designing their campaigns.

Mr Galt: Certainly, as I mentioned, it's of concern, and I appreciate the minister's response and the concern about what the alcohol companies are trying to do.

Even though it's the responsibility of parents to keep a close eye on what their children are watching on TV and what they are listening to on the radio, I still think there need to be some reasonable and justifiable limits on what's considered acceptable in our society. I understand that the Alcohol and Gaming Commission is involved in the regulation of alcohol advertising in this province. Minister, could you please explain what their role is in this process and what they're doing about it?

Hon Mr Runciman: Again, the Alcohol and Gaming Commission pre-approves and regulates the beverage alcohol advertising in the province. They do this to make sure the company is promoting responsible and moderate consumption of their product.

I think it's fair to say that the commission is also concerned with the recent trend by both liquor and beer producers to push into new areas. They recently formed a committee to review their guidelines, with special emphasis on sex in advertising, and they plan to report early in the new year. This could result in an extension of the scope of these guidelines in Ontario.

PETITIONS

PENSION INDEXATION

Mr Tony Ruprecht (Davenport): Just two hours ago at a demonstration in front of the Ministry of Labour, I received this petition, which is addressed to the Parliament of Ontario and reads as follows:

"Whereas injured workers petitioned the Legislature of Ontario from 1974 to get full indexation of their benefits and pensions; and

"Whereas in 1985, all political parties in the Legislative Assembly of Ontario agreed to enact full annual indexation in the Workers' Compensation Act; and

"Whereas in 1998, Bill 99 restricted indexation of pensions and benefits under the Workplace Safety and Insurance Act; and

"Whereas the Canada pension plan is fully indexed annually;

"We, the undersigned, petition the Legislative Assembly of Ontario to restore full indexation on an annual basis to the Workplace Safety and Insurance Act of Ontario."

Since I agree with the sentiments of this petition, I'm very happy to sign it as well.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): I have a petition to the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their

vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together" tirelessly "to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull, Minister of Transportation, has the power to change the regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act, which would allow vintage auto enthusiasts to use year-of-manufacture plates."

I am pleased to sign in support, as I know you would as well, Mr Speaker.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature and it concerns northerners demanding that the Harris government eliminate the health care apartheid that they're practising.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation; and

"Whereas a cancer tumour knows no health travel policy or geographic location; and

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding; and

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, the former chair of Cancer Care Ontario, Northeast Region, to correct the injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I proudly affix my signature to the petition and give it to Allison to bring to the table.

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I have affixed my signature to it. I agree with the petitioners. I'd like to thank Gerry Lougheed Jr for all of his work on this.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): Just looking through these petitions from all over the province of Ontario, there must've been a vintage car show recently. I have a petition here to the Legislative Assembly of Ontario in the name G.E. Spracklin and the name Tom Luke, who are from the Newcastle community in my riding.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage auto enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change this existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to allow vintage auto enthusiasts to use year of manufacture plates."

I'm pleased to sign and support this petition.

1500

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): "To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment

outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This is signed by several more constituents who continue to share the concerns about the inadequate funding of this program. I affix my signature in full agreement with them.

LONG-TERM CARE

Mr Michael A. Brown (Algoma-Manitoulin): "To the Legislative Assembly of Ontario:

"Whereas the Espanola area services a population of 12,000 people and government statistics project a growth in population of people over the age of 75 to reach an estimated 336 by the year 2003;

"Whereas the long-term formula for the distribution of long-term-care beds would indicate a need for between 59 and 76 beds by the year 2003;

"Whereas just 30 long-term-care beds exist in the Espanola area with the result that a lengthy waiting list already exists and people are being placed in long-term-care facilities far distant from their home communities;

"We, the undersigned, petition the Ontario Minister of Health and Long-Term Care and the Ontario government to immediately approve a proposal by the Espanola General Hospital, supported by the Algoma, Cochrane, Manitoulin and Sudbury District Health Council for an additional 34 long-term-care beds in Espanola."

This petition is signed by many people from Espanola and Nairn Centre.

PARENTAL LEAVE

Ms Shelley Martel (Nickel Belt): I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas parental leave benefits will be extended to 50 weeks beginning December 31, 2000;

"Whereas many Ontario parents will want to take full parental leave to spend quality time with newborns and newly adopted children;

"Whereas Ontario's Employment Standards Act now only provides job protection for 18 weeks of parental leave;

"Whereas many Ontario families will be unable to access full parental leave because they cannot risk losing their jobs;

"Whereas the Ontario NDP has introduced Bill 138, the fair parental leave bill, which would extend job protection for parental leave to 35 weeks;

"Therefore, we, the undersigned petition the Legislative Assembly of Ontario as follows:

"We demand the Harris government immediately pass Bill 138, so that no Ontario parent will lose his/her job if they choose to take full parental leave."

This is signed by people in Toronto. I've affixed my signature to it, and I agree with this petition.

SCHOOL BUS SAFETY

Mr Pat Hoy (Chatham-Kent Essex): I have a petition that I'll read in part.

"To the Legislative Assembly of Ontario:

"Whereas motorists are not obeying the highway traffic law regarding stopping for school buses which are loading and unloading school children on the streets and highways of Ontario;

"Whereas the children who ride the school buses of Ontario are at risk and their safety is in jeopardy;

"Whereas the current school bus law is difficult to enforce since not only is a license plate number required, but positive identification of the driver and vehicle as well, which makes it extremely difficult to obtain a conviction;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Private Member's Bill 78," now Bill 24, "An Act to amend the Highway Traffic Act, which will be presented by Pat Hoy, MPP, Essex-Kent, as ballot item number 51 in the next legislative session, be passed at third reading."

Bill 24 "imposes liability on the owner of a vehicle that fails to stop for a school bus that has its overhead red signal lights flashing and:

"Increases the fines for drivers identified breaking the school bus law to a range from \$500 to \$1,000 on a first conviction and \$1,000 to \$2,000 on a subsequent conviction.

"It establishes a fine for identified vehicles breaking the school bus law of \$1,000 to \$2,000 on a first conviction and \$2,000 to \$3,000 on a subsequent conviction.

"And we ask for the support of all members of the Legislature."

This is signed by a number of residents from Hagersville, Cayuga and Caledonia, and I affix my signature to it.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have a number of other petitions regarding the northern Ontario health travel grant. These are in addition to the thousands of names that have come from Algoma-Manitoulin.

"Petition to the Ontario Legislature.

"Northerners demand Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is one petition of the 50,000 names that are being presented in this Legislature on behalf of this cause.

SCHOOL BUS SAFETY

Mr Pat Hoy (Chatham-Kent Essex): I have another petition signed by a number of residents of Wawa.

"To the Legislative Assembly of Ontario:

"Whereas motorists are not obeying the highway traffic law regarding stopping for school buses which are loading and unloading school children on the streets and highways of Ontario;

"Whereas the children who ride the school buses of Ontario are at risk and their safety is in jeopardy;

"Whereas the current school bus law is difficult to enforce since not only is a license plate number required, but positive identification of the driver and vehicle as well, which makes it extremely difficult to obtain a conviction;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Private Member's Bill 78, An Act to amend the Highway Traffic Act, which will be presented by Pat Hoy in the next legislative session, be passed at third reading.

"Bill 78"—now Bill 24—"imposes liability on the owner of a vehicle that fails to stop for a school bus that has its overhead red signal lights flashing and:

"Increases the fines for drivers identified breaking the school bus law to a range from \$500 to \$1,000 on a first conviction and \$1,000 to \$2,000 on a subsequent conviction.

"It establishes a fine for identified vehicles breaking the school bus law of \$1,000 to \$2,000 on a first conviction and \$2,000 to \$3,000 on a subsequent conviction.

"And we ask for the support of all members of the Legislature."

I am pleased to affix my signature to this petition.

ORDERS OF THE DAY

TIME ALLOCATION

Hon Chris Stockwell (Minister of Labour): I move that, pursuant to standing order 46, and notwithstanding any other standing order or the order of the House dated May 30, 2000 relating to Bill 69, An Act to amend the Labour Relations Act, 1995 in relation to the construction industry, the order for third reading be discharged and that the bill be recommitted to the standing committee on justice and social policy;

That, pursuant to standing order 75(c) the chair of the standing committee on justice and social policy shall establish a deadline for filing of amendments with the clerk of the committee; and

That the standing committee on justice and social policy shall be authorized to meet November 16, 2000 for clause-by-clause consideration of the bill; and

That the committee be authorized to meet beyond its normal hour of adjournment on that day until completion of clause-by-clause consideration; and

That, at 4:30 p.m. on the day designated for clause-by-clause consideration of the bill, those amendments which have not been moved shall be deemed to have been moved, and the chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto. Any division required shall be deferred until all remaining questions have been put and taken in succession with

one 20-minute waiting period allowed pursuant to standing order 127(a); and

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That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than November 20, 2000. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on justice and social policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading;

That, when the order for third reading is called, one sessional day shall be allotted to the third reading stage of the bill, at the end of which time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That, the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "Deferred Votes"; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Mr Tony Martin): Mr Stockwell has moved government notice of motion number 70. Mr Stockwell.

Mr Dominic Agostino (Hamilton East): Another closure motion to shut down debate.

Hon Mr Stockwell: Are you just heckling at large?

Let's be clear: there is a difference between closure and time allocation. It may be somewhat inside baseball and technical, but there is.

Mr Agostino: Explain the difference, Chris.

Hon Mr Stockwell: I could explain the difference, but even if I did I'm not sure it would help.

Let's talk about Bill 69. In the last few weeks a few misconceptions have been placed in the broader public with respect to what Bill 69 does and doesn't do. If we move back to the original debate on Bill 69, we had to talk about the competitiveness issue and the competitiveness argument about the bill. There was some consensus within the industries—the construction industry and the union sector—that there was a competitiveness problem with respect to unions winning, gaining and completing construction work, and they were losing a large part of their market to non-union construction companies. Obviously this was not boding well for the general contractors who work in the union side of things, but it was also not working very well for the subcontractors in the union side, as well as the unions themselves.

Many hiring halls across this province were having a very difficult time placing their workers, mostly men who work through the hiring halls, who were having a tough time finding work because a lot of the old work that was being done in those sectors was being usurped,

removed or taken away by non-union construction companies. The simple fact of the matter was that union companies weren't maintaining competitiveness in their bidding process.

What also became apparent was that through a series of negotiations over the years, the unions, the subs and the generals could not find a conclusion that was sympathetic or acceptable to all three parties. Over many years they did negotiate different terms and conditions, but at the end of the day those negotiations ultimately broke down and they couldn't find a conclusion.

I travelled this province, talking about, investigating and hearing about the competitiveness issue. There was no doubt that in certain areas around this province like Sudbury, Hamilton, Windsor and Kingston, there were a lot of men on waiting lists but not very many working. The union came to me after the last election, as well as the generals and the subcontractors, hoping to see if they could have another round of negotiations in order to find a conclusion or a solution to the particular problem that was plaguing the construction industry. I undertook to find the competitiveness issue, to at least determine whether there was a competitiveness issue and to try to find a resolution to this issue.

I will say that I think all the parties came to the table in good faith: the unions, the subcontractors and the general contractors. Those are the three sectors that are at play in this issue. I think they all came with honesty and integrity, and in good faith were prepared to try to negotiate some kind of conclusion to this issue, and it was to the benefit of all. Let's understand that if unionized general contractors don't win work, then the trickle effect is very clear. The subcontractors who are unionized don't get work and obviously the unions that supply the men to these jobs aren't working. So the industry was in a bit of a kerfuffle.

What seemed fairly apparent was that the general contractors were taking the position that they needed some kind of abolition of 1(4). Again, 1(4) is rather technical, inside baseball terminology, but 1(4) basically would allow general contractors to double-bread. "Double-bread" means they could run a union shop and a non-union shop, and they could bid whichever job they wanted with whichever company they chose to bid it with.

This was absolutely unacceptable to the unions. They believe that if you allow general contractors and subcontractors to run a union shop and a non-union shop, it wouldn't be long before they would just simply stop bidding the union shop for work because the non-union shop was more competitive and they wouldn't have to build in a more competitive system in order to bring work to the union side.

That was the position put forward by the general contractors and subcontractors.

Through the negotiations it seemed reasonable to me, considering the history and the decisions that have been taken in the past, that we should have a different look at this. But let's also understand another thing: a lot of these

general contractors were in essence unionized through what I classify as a backdoor provision. They were never actually unionized through a vote of the rank-and-file employees. What happened was, they would sign working agreements with time-limited periods with unions where they would hire union workers. One of those working agreements they were working in was in the late 1970s, and the general contractor signed a working agreement within Toronto for a very time-specific period with some mechanical and plumbing contractors.

The Ontario Labour Relations Board, in my opinion, made a decision that was unfair. I'm sure others will argue differently, but I think it was unfair. What they did was, they tied those general contractors, because they had signed a time-limited, site-specific union agreement, to unionization across the entire province of Ontario in perpetuity. In essence these general contractors, who have agreed to have hired union workers for a specific job for one year, now found that they couldn't hire anything but unions, all across the province of Ontario, forever. So in actual fact, the union didn't go in and organize these general contractors; it got them certified through a decision or a backdoor approach at the Ontario Labour Relations Board.

Having said that, as reasoned and thoughtful as this government is, they understood that there were concerns with respect to the union movement about double-breasting. My position at the time was, at this point in time, considering the unionization, before you could even talk about abolishing subsection 1(4), which allows double-breasting, you should at least try and implement a plan or a program that will make the unions more competitive to see if they can get more work so you may not have to go to the point of actually abolishing 1(4). That's the backdrop.

The negotiations took a long time and they were very, very arduous. I've got to give credit again to all three parties; they negotiated in good faith. The agreed decision of the three parties at the end of the day was Bill 69. The generals weren't happy with it because it didn't do what they wanted it to do; the subcontractors weren't tremendously happy with it, nor were the unions. But it was a reasonable compromise to create a more competitive marketplace.

When Bill 69 was introduced, I had met on a number of occasions with those people involved in the union movement, and they endorsed Bill 69. I didn't just negotiate with six union representatives; I negotiated with a team of six or seven union reps as well as a back-room group of 40 or 45. That's why it always frustrates me to see Mr James Moffat sitting in the gallery on occasion decrying Bill 69, because Mr Moffat was one of those people who sat in the back room and endorsed the deal. If he had any problems, my position at the time was, "Then bring them up and say them now, because once this bill goes forward it becomes very difficult to start tinkering with it because the three of you have agreed that this is the approach we're going to take." So

we went out on public hearings. To my shock and dismay, people such as Mr Moffat and others decided that they maybe hadn't read their own membership well and they found that they were having trouble selling the deal to their own local membership. I can understand that. We should all understand that; we're all in politics. We all understand that politically what you expect the reaction to be sometimes isn't, and there was a backlash in the local communities.

Not to break into the deal holus-bolus, but let me give you the reaction of local communities. The reaction was there was concern about the ability of subcontractors to bring workers with them to other communities. But that was agreed to in the negotiations: 66% of employees would either be brought with them or name-hired.

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At the time, some of the union representation bailed. Flatly, in political vernacular, they folded like a cheap pup tent. And then they tried to spell off their inability to read their own membership by blaming the government. Frankly, I found that reprehensible at best. Maybe you could have gone back to your rank and file and said, "Look, I screwed up here. I committed us to something and I didn't realize you were so opposed to it. Maybe we'll go have a rethink of it." But they didn't do that. What they claimed was that the deal we negotiated was somehow different from what was in Bill 69, and that is just not the fact. The flat-out fact is that Bill 69 is what people like James Moffat and others agreed to. They agreed to it. Now if something happened in the past that gave them trouble, as I said earlier, they should have come back and said, "We've got to renegotiate this. I can't sell this to the membership." Maybe my reaction would have been, "I can't do it." But the way they attacked the problem was profoundly unfair, unfair to the general contractors, to the subcontractors, to the other people—the union brothers and sisters—who were with them negotiating the deal, and of course to the government. Because they then turned tail and ran. Quite honestly, to me that is the not the noble approach to take.

I understand their opposition, and frankly I understand the opposition of the member from Hamilton, Mr Christopherson. He's an NDP member, born and bred in the union movement. I understand how he'd have trouble with this. I don't profess that he would probably have any other position than he had. I'm a little dumbfounded by Mr Agostino's opposition, but I shouldn't be, I suppose. It's a cliché-driven argument that offers nothing in the way of salient criticism. It's just an argument that's cliché-driven, that offers no reasonable response to the bill that's before us. Because the bill, regardless of whether or not you agree or disagree with it, is going to create a more competitive workplace in certain parts of this province. Why? Let me explain it to you.

The construction industry is one of the few industries in this province that negotiates their collective agreements province-wide. With all collective agreements in the construction industry—whether you're a drywaller or an electrician or a plumber—you negotiate your rate

province-wide. So once every three years they gather in Toronto and negotiate their collective agreement for what an electrician makes. This has been the standard approach for the last two or three decades. There's an inherent flaw in that approach, and I don't think you have to be a union member or a non-union member to understand the inherent flaw. The inherent flaw is this: a value attached to work set down in Toronto may not be an applicable value in Windsor, North Bay, Timmins, Sudbury, Wawa or Ottawa. Because what you must accept—and I don't believe people will make this argument—is that in these different areas across the province the economy is different. The economy is different in the riding of my friend Mr Johnson than it is in my riding. The economy is different in the opposition members' ridings than it is in my riding. So what was the case we were faced with? Simply, that if we continue on the approach that you do province-wide negotiating, then whatever rate is set in Toronto is going to be the rate paid everywhere else, and quite frankly contractors couldn't afford to pay those rates and win jobs in areas outside of the Toronto region.

And you know something? Everybody was in agreement with that—everybody. So that was the issue with respect to the competitiveness. And what Bill 69 allowed—and this isn't breaking any traditional union credos, this isn't abolishing labour relations, this is not abolishing negotiation—all it says, is that you can still negotiate province-wide, but if there's an application by a local person to suggest that the rates are excessive and don't allow them to be competitive and don't allow anybody to work—general, sub or union—then we need to have negotiations locally, and the idea of the local negotiations would be that rather than paying—and I'm picking a number here—an electrician 28 bucks an hour, maybe in Sudbury we'll pay them 22 bucks an hour so the job's more competitively bid and we'll actually win the work. Rather than having a hiring hall of 400 guys and 340 of them not working, we'll have 340 of them working instead of 340 not working. That's the thrust. It was never intended to take away any ability of the unions to represent their membership. It was never intended to take away their ability to negotiate collective agreements. It was never intended to take away their ability to call a general province-wide strike. All those issues were maintained in the body of Bill 69. So there are benefits and downsides.

Where the ship hit the shoal on this issue was the benefit that was going to be derived for the eight general contractors in Ontario. Part of the negotiation was—and this is as clear as clear can be. I don't believe anyone can suggest they didn't know this when they signed on to 69. It absolutely boggles my mind that anyone could claim they didn't know this was part of it, that the general contractors would be relieved of their union responsibilities acquired through those working agreements—and it's back to the first part of this argument I made—where they actually unionized them through the OLRB backdoor. If any of those generals had been unionized

normally through a process of carding the members and voting, they weren't going to lose that. They were only going to lose that process of unionization that they got through the backdoor at the Ontario Labour Relations Board. It didn't preclude the fact of the union going into that workplace and organizing them again. Sure you could. The only relief that was sought by the generals was to relieve them of the responsibility of those working agreements outside of board area 8 that were captured through the backdoor of the Ontario Labour Relations Board. That wasn't that unreasonable, in my opinion.

Furthermore, to hear some of those people, like I said before—what's his name? James Moffat—argue that this wasn't on the agenda is absolute hilarity. This is incredible, that people can stand bald-faced in front of you and say those kinds of things and they don't even twitch their eye or smirk their lips. Either they have done this so often they believe it or they've got a job ahead of them working in some casino.

So that was the thrust of the debate. As I said before, I understand the opposition from the opposition, and I understand their opposition to the bill, but I want to tell you, nowhere in the bill was it ever designed that we would allow double-breasting. Nowhere in the bill was it designed that we would allow related-employer provisions to proceed. Nowhere in the bill was it designed that we would take away collective bargaining rights. Nowhere in the bill was it designed that we would remove the right to strike. We just developed a scenario that allowed for a more flexible negotiating process so people in different parts of this province could get work that they weren't getting today. That was the thrust of the bill. I find it deeply damaging to suggest that the bill was anything else.

The argument across the floor that I've heard ad nauseam, particularly from my friend for the Liberals, is that we put a gun to their head. The situation is simply this: a Legislative Assembly and a government have responsibilities. Obviously we always, always had the power to remove 1(4). If we had wanted to remove 1(4), we could have simply done it. Clearly, by not doing it, we understood the value of 1(4). The suggestion that we put a gun to their head is somewhat remiss, is somewhat overstated, because if we wanted to remove 1(4), we could have done it at any time we wanted, and we didn't. It was fairly apparent we were looking for a compromise. I know it's a cliché-driven debate and maybe I'm wasting my time in talking to him because I know he's just going to bark out, "You put a gun against his head," but the fact is—

Mr David Christopherson (Hamilton West): Why are you so condescending?

Hon Mr Stockwell: I think it's because I need to be. Obviously there's just not a lot of understanding of this bill. Obviously, some of the members opposite haven't read it or understood it, because they go out into the public out there and tell people about this bill and they don't even have a simple working knowledge of the bill,

including yourself. Sometimes you have to go slow for your benefit. That was the thrust of the bill.

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Mr Christopherson: You're so arrogant.

Hon Mr Stockwell: I don't think so. I think the arrogance is for the member from Hamilton. I think he is because he's got to go out there and spew things when he doesn't know what he's talking about. Now if that isn't the height of arrogance, I don't know what is.

So that's the thrust of the bill.

There's another component to the bill as well. The other component is the residential framework to the bill. The residential framework to the bill is even better than the ICI side of the bill. We did the exact same thing again. We brought the parties together, the unions and the builders, which is something the NDP never would've thought of doing. We brought them together. We asked them to negotiate an agreement that would make the unions and the builders work together to come up with a plan that would remove the provision of the strikes within the industry.

If you remember back to 1998, the residential housing industry was plagued with five months, I think, of residential strikes that slowed down homebuilders. All those people who bought homes in the residential marketplace couldn't close because, in the residential marketplace, what happens is all the trades come up for negotiation at different periods of time. There are about 25 of them. The minute one trade ended up going on strike and then settling, the very next day the next trade would go on strike and they'd go for two weeks and settle. It was a domino effect. It worked out to such a large degree that five months passed before they could get all the unions to settle.

Everybody in that industry said: "This isn't good. It isn't working this way. We don't want to go out for five months because we are going out individually and nothing is being accomplished other than nobody is getting paid, nobody's building any homes and families aren't moving into them for five months." As part of this bill for Bill 69, we went to the residential component of the bill. We asked them, "Is there any way that we can address the issue with respect to the five-month strikes?"

The unions and the builders got together. They responded by reaching an all-party agreement to having a common expiry date of April 30. The unions agreed, the builders agreed on April 30. They've agreed. They would have an all-party agreement that, if you're going to go on strike, if you're going to have a collective agreement run out, they all have to run out on April 30. That was within the industry.

Both parties also agreed that rather than having a prolonged strike—these are progressive builders and progressive unions. These are people who understand the private sector economy and they negotiated this in good faith in the 21st century, not in some arcane backwater way that some of the NDP choose to negotiate or talk about how you negotiate collective agreements. These were progressive-thinking people. They decided that

there would be a 46-day window for a strike or a lockout, ending June 15.

What the unions and builders said is: "Look, everybody's contract expires April 30. If you go out on strike, by June 15 you have to go back to work. What happens when you go back to work? You send the strikes and the disputes to binding arbitration."

Binding arbitration is very simple. The union puts in their request. The builders put in their request. One arbitrator decides which application he accepts. There's no negotiation; there's no argument; there's no nothing. The arbitrator sits there. He gets one from the union, one from the builders, and he says, "OK, which is the most reasonable?" It forces the parties to be reasonable, because if they're not reasonable in their submission, then the other party's going to win the day, which in my opinion has been very good.

They've agreed to it. They've said, "OK, let's try this particular dispute resolution system for this time and we will tell you if it works." We the government said, "Sure. This is an industry-led conclusion. This is an industry-led operation. Then, sure. This works. We will let you do it. If you want us to maintain this legislation, we will pass an order in the House to maintain it"—if it worked. So that was the issue.

There were other issues with respect to finding agreement between the two groups, but where the thing broke down and the reason we're back here and we have to go back to committee is that the unions agreed in the non-civil trades to get a majority of the non-civil trades to vote to allow the general contractors out of their working agreements, and that was the crunch. That was the crush of the bill. That was the benefit to the generals, that they be allowed out of their working agreements. So, as part of the bill, it was agreed that the non-civil trades would vote to allow the generals out of their working agreements outside of board area 8 or the GTA.

What happened at the end of the day? At the end of the day, this happened and this is why I find it somewhat frustrating: if the unions didn't know this was happening, why did they go out and try and get the non-civils to vote the generals out of their working agreements? Why did they bother? If this is what nobody agreed to, why did they do it? Why were some arguing after the fact, like Mr Moffat, that they shouldn't be allowing them out? If he's arguing they shouldn't have been allowing them out, how did he even know it was going to be there? How did he know that was part of the deal? Did it just come to him one day? This was just some kind of oracle? An epiphany? It came to him one day that, oh, this is what's going to happen? He did that because he knew that was going to happen, because he was part of the negotiations.

That's what happened. Now we're stuck in a situation that if we want Bill 69 to go through, we have to refer it back to committee and do for the unions what they said they would do for themselves in order to make Bill 69 work. That, in a nutshell, is the brief history on this bill.

Let me tell you, though, there's another side. The other side is that we should just go ahead and abolish

1(4). There are definite benefits to doing that as well. There's no doubt about that. Right now, unions in the province, because union contractors don't have any way of negotiating, tend to hold the subcontractors up for ransom and force them to pay exorbitant amounts of money. They achieve these through the back door again at the Ontario Labour Relations Board.

What the generals and subcontractors are saying, which again is a compelling argument, is, "Why should we be held hostage like no one is held hostage in this province? Why? Why should we not be allowed to operate a business that's union and operate a business that's non-union? What's the matter with that? It's supposed to be a free country. It's supposed to be a democracy. Why can't we do what anyone else in this province is allowed to do in any other industry?" It does seem fairly reasonable, because the general contractors that are supposed to be unionized don't hire anybody. They don't have any employees. So if they do want to decertify, they can't because they have nobody to vote, but somehow they're unionized through this aberration at the Ontario Labour Relations Board. What's fair and equitable about that?

That was the issue at hand: how do we deal with this issue? I think we took a responsible approach—over the protestations across the floor. I'm not really sure why they were protesting so loudly, particularly the Liberals. I don't get it, frankly, because this is not unreasonable. This is a fair, reasonable compromise to a complicated issue.

I hear the member for Hamilton East cackling away again about some cliché-driven argument he'll make, I'm sure, that has something to do with a gun to the head, do the right thing and come clean, yadda, yadda, yadda. But the bottom line is simply this: it's a reasonable approach to take, because what it did do was it protected the union approach as far as related employer and double-breasting, but it also allowed those general and subcontractors to be more competitive around the province.

I don't know why they can't endorse it. They believe in opposition that you've just got to oppose. You just have to oppose.

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Mr Bruce Crozier (Essex): You were there.

Hon Mr Stockwell: I was there too and I voted in favour of some government initiatives. I think it's reasonable, if they have government initiatives that are reasonable, and this is one of them. The rationale here is that it's not fair. I keep wanting to hear, why isn't it fair? If you think having a union hall with 350 guys there not working is some kind of noble treatment of unionization, you're an absolute fool. If you think that works, you're crazy; it doesn't work. We've got study after study. I can show you example after example, union hall after union hall, where they're not working. What you want to do is maintain their right not to work. What's the benefit of that? What does a deep-thinking, knowledgeable person say to that? "I want to maintain your right not to get a job." This is somehow a noble left-wing cause.

So this is what they have deemed to be their approach. Our approach has been, rather than simply allowing these union halls not to work, to create a negotiating process that allows them to be competitive so they can win work in their local community and actually be employed. Because I'll tell you, if you're getting \$28 an hour and you're not working, it's got to be better to get \$22 an hour and be working. That's the difference.

I'm going to turn it over to my friend from Barrie-Simcoe-Bradford very shortly. I will just close by saying that the amendment that's going to go at committee is a very standard amendment. I don't believe it will be out of order. It is contained within the bill. It just will allow some opportunity for the government to pass regulations that will relieve the generals from their working agreements in those non-civil trades outside of board area 8, which is what the deal was all along.

I'm at a loss. I find the opposition to the bill somewhat passing strange. I think if people give this bill an opportunity to work, you'll find a far more competitive approach in this province, you'll find a more accepting worker, you'll find people more gainfully employed. Ultimately, at the end of the day, this bill is more beneficial to the union than it is to the non-union. Because if the union member is working, he's paying union dues, and if he's paying union dues, then obviously there's a strong and vibrant union movement. If the union member isn't working, which is the case today, they're not paying union dues. That's the difficulty.

I'm going to be very interested in listening to the member for Hamilton East say anything about the bill, anything besides some rhetorical stream of consciousness, anything about the bill that he finds appalling, because I can tell you, there are union rank-and-file people and executives out there who support it because of its acceptable approach.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate that was commenced by the honourable Minister of Labour.

Mr Rick Bartolucci (Sudbury): On a point of order, Speaker: Is it not customary that we do the rotation during this, or is he allowed the entire hour? I thought when one speaker was finished we did the rotation.

The Acting Speaker: When I looked, there was nobody standing and the member for Barrie-Simcoe-Bradford was, so I went to him. But if you want to rotate, that's fine. We'll go to the member for—

Mr Tascona: If the member wishes to have the time to speak—

Mr Bartolucci: Point of order, Speaker: I just want to know what the procedure is, because I believe the procedure is rotation.

The Acting Speaker: The procedure is that we rotate.

Mr Bartolucci: So we're not asking for anything special here. We're asking to do what we've always done, what is tradition.

Mr Tascona: I am quite pleased to commence the rotation.

The Acting Speaker: The member for Hamilton East.

Mr Agostino: I'm pleased to join the debate. I will split my time with a number of my colleagues, as this is an extremely important bill.

First of all, it's unfortunate that the minister had to engage in the type of personal attacks he did during those comments, particularly questioning the integrity of union leaders like Mr Moffat, who are doing their jobs in representing the views of their members. I think it's below the dignity of the office of minister that he holds, and I think it's also a disgrace and an embarrassment that a minister of the crown would use this House as an opportunity to attack the integrity of people who cannot defend themselves in here and labour leaders who are defending their members.

I find the whole tone appalling. He referred to people who disagree with him as fools and crazy. That is the level of the rhetoric and debate the minister engaged in as he accuses the opposition of simply engaging in rhetoric. I saw nothing in what the minister said except for a round of personal attacks on labour leaders and members of the opposition who dare question the supreme, God-given right of the minister and the government of Ontario, who believe they have to dictate laws in this province without any opposition. I think that is disgraceful.

Up to now in this province, there has been about 25 to 30 years of relative labour stability in the construction industry. We tend to have a short memory and we tend to forget history in this province. The reason many of these changes came about was because of a totally difficult, unbearable and dangerous situation in the construction industries in the late 1960s and early 1970s. Violence, bombings, people being threatened and suggestions of infiltration by criminal organizations into the construction industry were many of the reasons these changes came about. We've had fairly decent stability in this province when it comes to the construction industry. This government is now threatening to remove all that.

The minister says it is rhetoric to suggest that the reason some representatives of the union initially agreed with the government had nothing to do with his threat, and it was a threat. The minister can call it rhetoric; it is reality. The minister's own words suggested clearly that unless the unions agreed to his version of Bill 69, his only alternative would be to bring 1(4) back to the table and remove it from the legislation right now in Ontario. That is not the opposition saying that. That is not the labour movement saying that. That was the minister's own threat in June this year. He said, "You agree with me on Bill 69, or I'm going to bring in legislation to remove 1(4)." That is not negotiating. You don't negotiate with a gun pointed to their heads and your finger on the trigger. That's exactly what happened here.

How does the minister even dare suggest that this was somehow balanced, that this negotiation that he feels the unions later backed away from was somehow fair? It was extortion, it was blackmail and nothing less by this government.

The Acting Speaker: You can't accuse the government of extortion and blackmail. You'll have to withdraw that.

Mr Agostino: I'll withdraw that, but I'll accuse this government again of putting a gun to their heads and saying to them, "Agree with me or I'm going to blow your brains out." That was the choice the unions had. That was no choice.

This is a bad piece of legislation. As I said, it threatens the labour stability we've had in this province. It basically attacks free collective bargaining. It removes many of the provisions that are now in the hiring halls, provisions of collective agreements where seniority means something, where you don't discriminate against someone based on age, where you don't discriminate against someone based on the fact that they may have been injured and can do only one type of work and not another. Many of the protections that unions have fought for, for their members, are going to be taken away through this piece of legislation. That is wrong.

You're giving employer groups the right to gut collective agreements through this piece of legislation. You're asking them to agree to lowering wages and bringing them to a lower standard rather than a higher standard. That's what this legislation is asking unions to do. After agreements were negotiated fairly across this province, this government is saying, "We're now going to give employer groups the right to gut those agreements," so that the right you've earned for your workers can now very simply be taken away, very simply. You're asking them to abandon bargaining rights with the Big Eight outside of Toronto.

1550

We know what this bill is all about. This is a nice thank you to the Big Eight who have donated hundreds of thousands of dollars to this government. It is a recurring theme: Geoff Smith and his thank you for forming Liberals for Harris during the campaign. This is simply another attempt to reward your friends for their help. That's what this bill is all about. You're willing to threaten labour stability in this province, you're willing to threaten the peace that we've enjoyed in the construction industry, for the sake of trying to help a few. You're willing to abandon many to help a few of your friends, and it doesn't matter what is right or wrong here, because the Big Eight gave you lots of money. They supported you in your campaign. That's what matters to you: not what is right or wrong in this province, but who donated money to your campaign and who supported you.

That is not the way you have labour law in this province; that is not the way you achieve labour peace. You're asking the unions to abandon their members by agreeing to this. What you're doing, frankly, is allowing Toronto companies to bring up to 40% of their workers into smaller communities. You talk about giving local communities the opportunity to employ more companies. What you're doing is allowing the bigger companies to

bring in up to 40% of their workers into smaller communities. That's what this is all about.

You're asking people to take lower wages for the same work. That's what this bill is all about. That is why this bill is bad. That is not rhetoric; that is reality. This is a race to the bottom. Bill 69 doesn't drive wages up; it doesn't improve conditions for working men and women. What it does is drive them down. It drives them down with the excuse that they have to compete with non-unionized companies and so on.

Let me remind this House again, let me remind this government, as I have and as I will every time I stand up and speak about labour legislation in this province as it affects the construction industry, one of the most dangerous industries to work in, an industry with one of the highest rates of accidents and deaths across this province, as you continue to union-bash and to take workers away from the opportunity to be unionized, that last year in this province, and you know this well, there were 20 deaths in the construction industry. Twenty men left for work one morning and did not come home that night. Out of those 20, 18 worked on non-unionized construction sites. What does that tell you about safety? What does that tell you about rights? What does that tell you about the right to refuse unsafe working conditions?

This is what this bill is leading us to. It is sad, it is disgusting, it is disgraceful that this government is going to abandon those people in order to help their friends who happen to have the money to donate to them.

Then for the government and this minister to suggest that somehow unions who dare speak on behalf of the members they are trying to protect are fools or crazy, or to question their integrity—I still believe, despite this government's best efforts, that we live in a democracy and that union leaders have the right to defend the men and women they represent, and opposition parties have the right to speak out on legislation that we believe hurts average people in this province. We're not crazy or fools for doing that, despite the minister's attempt to characterize us as such.

This is a bad piece of legislation. The building trades council of Ontario made it very clear at their convention in London in October that they oppose Bill 69 in any form, that this is not good legislation. So the minister should have no doubt in his mind today that Bill 69 is only agreed to by the construction industry, the Big Eight, the companies, and that there is not one single local under the building trades council, according to their own resolution, that supports this piece of legislation.

Let's be clear again: this is the balance. You call this "balance" that you're trying to achieve. You've got every single organization representing the building trades in this province and the hundreds of thousands of men and women who work there saying, "We don't want this." You've got the companies on the other side saying, "We want this legislation," and somehow this is a balance. It is totally one-sided. There's no balance here, as there is not with any other piece of labour legislation this government has brought in.

The minister just slightly, for a few days, did the right thing on October 30, 2000: he withdrew the bill. He sent a press release at 6 o'clock on Friday afternoon saying, "That's it, the bill's gone." He withdrew it. Then he stood up a few weeks later and said, "Oh, it's back, under our terms, under our conditions, and to hell with the trades and what they think or want in all of this, because I'm taking the side of the companies. I'm clearly on the side of the big companies here because they donated lots of money to our campaign and they supported us in our campaign."

That's the decision the minister made, and he's managed to do something clearly here which no one else achieved, not in years: he's managed to unify the labour movement in their opposition to this government and to this attack. So if any good comes out of this, it's now that there's a solid opposition to this. But I ask the government to stop and think for a second, to maintain the stability we now have in the construction industry, to maintain the labour peace we now have, to do the right thing today, to withdraw this bill. We do not need it. There is not a problem. Frankly, things can continue as they are. They're working fine. The construction industry is busy. People are working right now. Why destroy that? I ask this government to put away their ideology, their right-wing ideology here, their Conservative-Republican ideology and to do what is in the best interests of all Ontarians: scrap this bill and don't threaten the labour peace and don't threaten men and women in Ontario who are working today in the construction industry.

Mr Tascona: I'm very pleased to re-enter the debate, this time on a more permanent basis.

Bill 69, as many of you are aware, is designed to bring back competitiveness to the construction industry, not only dealing with the industrial-commercial-institutional sector of the construction industry, but also the residential sector. When you deal with Bill 69, especially with the residential construction sector, and certainly in my area from Highway 7 up into Simcoe county and the district of Muskoka and Bracebridge, you're seeing a lot of construction in the residential sector.

The history with respect to the residential sector back into the 1980s has been a lot of strike activity by trade, be it the drywallers, be it the labourers, be it the masons, and jockeying for position with respect to who would go out and who would get the best deal. I think there was very strong support from all the parties for the residential sector to make sure that there was an end to this type of disruption, that there would be an end point and it would be very clear, somewhat what we have with respect to the industrial-commercial-institutional sector, also known as the ICI sector. I'll deal with that momentarily.

The proposal in terms of the legislation for residential construction in the Toronto area and up to Simcoe county will force all collective agreements to expire at the same time and to allow a 45-day strike window. Residential construction companies and obviously the trade, I feel, would be supportive of this type of approach. That's very similar in terms of the expiry date of the collective

agreements for the ICI sector. What you find is that the difference between the ICI sector and the residential sector is that you have in the ICI sector province-wide agreements covering a particular trade, be it the labourers, the drywallers or the masons, and you can go on, but in the residential sector you very rarely see a collective agreement that will cover more than a geographical area, and the board is broken down into geographical areas for the residential sector.

In Simcoe county and the district of Muskoka, they're covered by board area number 18. So you would have a collective agreement dealing with residential construction covering that particular area. What this is designed to deal with is that collective agreements that would expire in a particular board area would expire all at the same time. That's what happens in the provincial agreements for the ICI sector. They'll all expire at the same time, and at that point in time negotiations begin for all the trades across the province to deal with their collective bargaining in the ICI sector.

1600

The wrinkle that came in place is that there was a review of the construction industry back in the late 1970s in terms of trying to make the construction industry much more efficient and to get away from the labour strife that was happening within that particular industry. That's why in 1980 we moved in the ICI sector to make it a province-wide approach, because what was happening for the ICI sector is that you would have collective agreements that were based on a particular geographic area. They could be expiring at one particular time for a particular company with this particular trade, and in another zone you're having an agreement expire at a different time. So to bring some uniformity with respect to the trades and to minimize the disruption that was happening out there, what was put in place in 1980 was the provincial bargaining structure which you find under the industrial, commercial and institutional sector.

What happened, though, for some companies, and we'll call them general contractors—as everyone knows, a general contractor is the contractor that works with its client to build the project, be it a building or whatever. We'll use that as an example in terms of a commercial building. That general contractor will contract out the trades, and those particular trades will help complete the project under the supervision of the general contractor, and obviously an architect would be involved in that.

But what happened in the industry prior to 1980 is that the general contractors would be entering into voluntary recognition agreements. In other words, they recognized the bargaining rights of that particular trade for a specific geographic area, be it all of Ontario or be it just for a geographic area. They were doing that even though they may not have had any employees for that particular trade, just to buy into some labour peace.

What happened is that those agreements, which have force of law, were in place prior to 1980, when the provincial ICI structure was set up. What you would find, where the regulation is dealing with this, is that after

1980, these companies, even if they didn't employ any employees, given the fact that they were a part of the province-wide bargaining structure for that particular trade, were bound to the collective agreements for that particular situation, whereas a company that commenced operation after 1980, that came into the province or was started up within the province and was certified for, we'll say, labourers, would be certified under a province-wide agreement for all ICI work in the province for the labourers. That doesn't mean they're covered for other trades. But for any other trade you would either have to have a voluntary recognition agreement or be certified up at the labour relations board. So there was a distinct advantage put into place for those companies from out of province or in province that went into business after 1980, whereas those companies that didn't employ anybody were still bound in terms of dealing with the agreements they had signed for the pre-1980 period.

What this regulation will do is permit—by regulation, it will deem the bargaining rights held by an employee bargaining agency and affiliated bargaining agents to have been abandoned with respect to an employer or a class of employer where the bargaining rights were acquired as a result of the employer or employers in the class having been party to a voluntary recognition agreement with a council of trade unions that was made before 1980.

It's a fairly complicated area, construction industry labour relations, but I think that what they're trying to achieve here is competitiveness for those companies that were involved in those situations prior to 1980, when we brought in a totally new regime for province-wide construction labour relations for the ICI sector. That is something that is just common sense in terms of those companies being able to operate in the most effective and efficient operation.

There has been support, and the Bill 69 regulation-making power will allow specific general contractors—that's all we're dealing with—to be removed from their working agreements outside of board area 8, which is the greater Toronto area. The bill includes a competitiveness framework for the ICI sector in allowing for flexibility within province-wide agreements, so this allows specific general contractors out of a specific geographical area, which is the GTA, to be able to enter into working agreements that will make themselves more competitive.

That's something the construction labour relations industry went through in the early 1980s. What they found was that, because of inflation, because of rising costs, because of the recession that hit in the 1983-84 period, the rates that had been ratcheted up over good times were making the construction industry uncompetitive, unaffordable. There was a solution reached between the trade unions, particular provincial trades, and the industry to ratchet down those rates by the trade so that we could see that the industry would move in the right direction in terms of making construction affordable again. That was a solution that was reached between the parties voluntarily, much in the same way that this was

reached by the efforts of the Minister of Labour to bring the construction unions together with the construction companies.

All Bill 69 does is establish a framework to make the residential sector more responsive to consumer needs and to the needs of the trade union workers and the companies, to make sure there's an end point where they can get back to building houses and stop the labour negotiations that will perhaps exasperate because one trade's playing off another with respect to dealing with their negotiations. If you've got, for example, all your trades in place and the roofers decide they're going to be the last one to go out and you're at that point where you want to finish the house because you need the roofers, you're going to be in a heck of a position. Same thing as if you're in the position where you want to do some framing and the framing union's out and you can't do any framing, that stops the construction that's going on. It can affect other construction trades and that type of effect is not good for the industry because the consumer's going to be impacted, the construction company's going to be impacted and also the other trades that are relying on that trade to settle are impacted.

At this point I'm going to discontinue speaking on this bill. I know the member from Northumberland is very anxious to join in the debate, but I know that we're under rotation so I'm going to cease at this time.

The Acting Speaker: Further debate?

Mr Bartolucci: I'm pleased to rise and offer my insights into this legislation, or certainly this time allocation motion, which I am against, and let me say that right from the outset.

I don't believe a bill of this importance should be time-allocated at this point in time, because the reality is, we have only begun to get to the meat of the problem and now the government wants to time-allocate this bill. There are severe problems with this legislation, and you know, I have a lot of respect for the Minister of Labour. I consider him to be a friend both in and outside of the House and he asked for us in the opposition side to offer some concerns we had with the bill. Certainly the concerns I have with the bill now are the same concerns that I had when the minister first introduced this legislation.

There are problems with the naming issue. There are problems with the key person provision. There are problems with the fact that this legislation really does, in effect, limit, if not destroy, the collective bargaining process. I'm going to try to outline some of these as I go along in the brief time I have.

1610

The Minister of Labour, in answer to a question by the member from Hamilton West earlier today in question period, said that to his knowledge the eight generals are not happy about Bill 69 at this point in time. Certainly I have to tell you, and the minister knows, that unions are not happy with it either. He is in receipt of a letter from Pat Dillon. I'm going to spend some time talking about Pat Dillon a little later on and outline to the people of Ontario who Pat Dillon is, because I think, as business

manager for the Provincial Building and Construction Trades Council of Ontario, he is a very respected and level-headed individual. He has some concerns, and he has outlined those concerns for the Minister of Labour, with regard to unions that are vehemently opposed to this.

What we have now are general contractors that don't like Bill 69, unions that don't like Bill 69 and opposition parties that don't like Bill 69. The reality is, nobody in the industry or in Ontario likes Bill 69, with the exception of the government. Because the government likes it, it's going to become law. I find that wrong. I don't think we're governing in the best interests of Ontario when, because they who form the majority on the other side, the Conservative government, think it's good legislation, it should be passed, when even the eight general contractors we're talking about are still not happy with this legislation and when almost every union, civil and non-civil, is opposed to the legislation.

I think it's very important that the government admit there are serious problems with Bill 69, that it creates more problems than it's going to solve and that it will, even once passed, create havoc in the industry and with the economy of Ontario. When you couple that with Bill 139, which we're going to be debating tonight, I think we have severe problems in Ontario when it comes to labour and management relations and negotiations between the two.

I don't want to stray off the points I want to make with regard to the mobility issue and the naming issue. The minister referred to areas such as Sudbury, Sault Ste Marie and Windsor. I think it's important for the people of Ontario, for members on the government side and especially the students who are in the audience to understand that government should be about fairness. The reality is that Bill 69 is not fair to people in the construction industry who live outside district 8. In fact, it really punishes them severely. If you're a construction worker, whether it be a bricklayer, an electrician, a sheet metal man, a plumber, a pipefitter, whatever trade in the construction industry, and you live in Sudbury, Sault Ste Marie, Windsor, Hamilton, Ottawa or any area in this vast, beautiful province outside district 8, which for our purposes is the greater Toronto area, your chances for work in the construction industry are limited.

That is a concern to me for my community. Our bricklayers, carpenters, drywallers, plasterers and electricians haven't been working over the last several years, because the economic boom that is taking place in southern Ontario has not reached northern Ontario yet. Hopefully it will, and thankfully we're all working to that end, but the reality is it hasn't reached there yet. So our construction workers have not been working.

This bill, when passed, will allow general contractors, combined, to either bring in or name 76% of the workers who are going to work on a project in Sudbury, Sault Ste Marie, Windsor, Hamilton, Ottawa—it makes no difference. I don't think that's good for the workers in these areas. I don't think it's right that general contractors who

live and pay taxes in Toronto should come up north or to southwestern or eastern Ontario and bring 40% of the workforce with them, in effect putting 40% of construction workers in those areas outside district 8 out of work with no chance of working at all. I believe that's a form of discrimination. I don't believe it's intended discrimination as such, but it ends up being discrimination.

That has a trickle-down effect, because if you're only going to allow your business agents, business managers or unions to name 24% of their workforce, I'll tell you who's going to be out of work: it's going to be the older workers, the younger workers who are only beginning, those who can't lift a 12-inch block as well as they once did. They are going to be bypassed.

Right now there is a fairness in the system, in the hiring hall method. There is a fairness so that all workers are given an equal opportunity to work. I believe that is one area that's very wrong in this legislation. Whether it be by design, the reality is that this legislation ends up being a union-busting type of legislation, because it really does take away the effectiveness of unions in the construction industry with regard to what and how they are able to negotiate their contracts. Unions will not be able to negotiate better terms and conditions for their members any more. Forget that; it's gone. I believe the bill is explicitly designed to reduce the presence of unions, not only on construction sites now but the effectiveness of unions in the future. I suggest to you that that's not right as well.

The key person provision: although there was some movement, clearly there wasn't enough movement and there is still a major problem with that.

The Minister of Labour suggested that we should make concrete suggestions. He doesn't explain that in the process—I was the critic for labour at the time—I gave the minister and the committee 71 pages of recommendations, all of which were abandoned by the government and most of which the government wouldn't allow us to introduce because there was time allocation at the committee level at that time. In fact, there was only one suggestion they adopted. I believe the legislation could have been acceptable to unions and the general contractors had those recommendations been allowed.

I want to end my time simply by quoting from Pat Dillon. Again, Pat Dillon is the business manager for the Provincial Building and Construction Trades Council of Ontario. He is a man the Minister of Labour has worked closely with on this legislation. He is a man who I think is respected on all sides of the House and in the community. Here is what this very knowledgeable and fair individual is saying.

"On Friday November 10 ... representatives from construction local unions across the province met to discuss these most recent attacks on construction workers specifically and on working people in general.

"I must be blunt with the minister, in all my time in the construction industry, I have never seen the kind of resentment and anger directed at a government of any stripe as I witnessed last Friday. ... There was an

overwhelming sentiment to send the government a strong message about these continuous attacks on working people." He ends by saying, "I fear that these continued attacks on unions and working people will lead to instability in the workplace and will eventually wreak havoc on Ontario's booming economy."

If for no other reason, we should be listening to Pat Dillon, we should be listening to the building trades unions across this province when they say, in all sincerity and with all due respect, to the government, the minister and the opposition parties, these attacks on working people must stop. That's how Mr Dillon ends the letter. He is respected in the industry, he is respected by the opposition members, by his peer groups, and certainly I would hope that the government would respect his wishes, avoid havoc, avoid destroying this booming Ontario economy and withdraw Bill 69.

1620

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm very sad that we are here again in the Legislative Assembly debating another motion to close debate on a very important piece of legislation that will have a significant impact on many people in Ontario and certainly on many people in my riding. Over the course of the last week, I took the opportunity when I was in my riding to visit with a number of people. I've tried to make it my business to be in touch with people who would be impacted by some of the topics that we talk about here in the Legislative Assembly. Last Friday, I had the opportunity to speak with some union representatives in my riding and I asked them about their understanding of the changes that have been made to Bill 69. I see myself as the voice of the people of my riding and the advocate for the people in my riding and I certainly wanted to understand what their position would be.

The Minister of Labour, earlier in his comments with regard to this motion, indicated and pointed at us on the other side of the House and said, "The opposition believes they have to oppose this simply because they're the opposition. That's the only reason why they stand up here and speak against legislation that we've put forward." I think it's regrettable that the minister was not able to say, "This is good and this is sound and this is supported by the partners in the construction industry in Ontario." In fact, it's quite the opposite. The minister has not been able to say that. I would suggest that every stakeholder, every partner group in the construction business in Ontario has problems with this legislation, and yet the minister points at us and says, "Oh, you just oppose it because you're the opposition." That is not the case at all. I'm speaking against this legislation because I've talked to my constituents. I'm telling you what they've told me. They don't think this is good legislation. They don't believe that our communities in Ontario—certainly communities in my riding—are going to be better off because of the passage of this bill. I want the minister to be very clear on that. That is why I'm standing in this Legislature today and speaking against it.

The minister would know as well that I'm not making this up and I'm not misreading or misrepresenting what I heard when I spoke with those union representatives. I have here with me a copy of a letter that was sent to the minister by Mr John Telford, who is the business manager of local 221. He's the president of the Quinte-Saint Lawrence Building and Construction Trades Council and president of the Ontario Pipe Trades Council. This person is a representative of union members in my riding and he wrote to the minister on September 28 of this year:

"Dear Minister,

"Let me begin by introducing myself to you. My name is John Telford and I'm the business manager of Local 221 of the United Association of Plumbers, Steamfitters, Welders and Apprentices. I represent approximately 500 members and their families in eastern Ontario.

"The purpose of this letter is to clarify any misconceptions that you may have about you supports and does not support a third reading of Bill 69...."

"Mr Minister, I say to you that gutting collective agreements, lowering safety standards and abandoning apprenticeship training has never reduced the cost of construction in any geographic area that this agenda has been put forward...."

"Mr Stockwell, the removal of 1:4 from the act is not the answer to some of the minor problems that exist in the construction industry. Double-breasting has never proven to lower the cost of construction, it only leads to poor workmanship and high rates. The cost of construction in Ontario is lower than Alberta, British Columbia, Saskatchewan and New Brunswick, all provinces that allow double-breasting."

The member from Barrie-Simcoe-Bradford a few moments ago presented to this House that one of the reasons why we should consider this legislation, why we should consider allowing the practice of double-breasting, is to improve the competitiveness within the construction industry. Here we have, from union representatives, the fact that in those jurisdictions that do allow double-breasting construction costs are not lower than in this province. On what information do you present that by now allowing it in Ontario our construction costs are going to somehow be reduced? I haven't seen anything conclusive put forward by the minister. Here we have people who work in the field, who are very much in tune with what is happening in other parts of the continent, who very clearly have indicated that it is not going to reduce the cost of construction.

He goes on with examples and I'd like to share those with the members of this assembly. He provides for the minister two examples of construction costs in Ontario compared to construction costs in other areas. He talks about Celanese Canada, which "in 1996 completed a \$180-million expansion in the Kingston area. The job took approximately 17 months to complete and was 15% under budget. The parent company built an identical plant in ... North Carolina (a right-to-work state). The

two projects started at the same time and even with the Kingston job being built through two Canadian winters"—which should, one would expect, make that project a little bit longer—they were up and running their plant in Kingston "six months earlier and \$15 million to \$20 million cheaper in direct construction costs." That was in my riding. That happened in my riding. These are facts.

Another example: this same situation occurred in 1989-90 with the Goodyear Tire expansion in Napanee, Ontario. I might add that both projects had 100% union craftsmanship.

Mr Telford concludes his letter to the minister:

"In closing, Mr Stockwell, I do not think that the industry committee or the EBAs have the legal right to alter any collective agreement without the approval of the affected parties. I liken this to having the clowns in the circus voting to remove the safety net for the high-wire people to save Barnum and Bailey money. I urge you to listen to the people whose lives and families will be affected by this type of regressive no-respect legislation."

It is signed by John Telford, who is the local manager.

A couple of points I would like to conclude with, that for me are very important, relate to safety. Certainly the critic for our caucus has made this point and it's a great concern of mine. I know these people who work in the construction industry in this province, and certainly those in my riding, and I'm concerned for their safety. I fear that when this legislation may become law, it is going to compromise the safety on construction sites. Those are people I meet and greet every day. They live in my town, in my community. I don't understand—we know statistically it can be demonstrated that non-union construction companies have a higher incidence of accidents than unionized construction sites. That can be demonstrated; that is a fact. I cannot support a piece of legislation that is going to allow non-union construction companies to become very prolific in this province when I know that people who work in a non-unionized construction company have a greater risk of encountering an accident.

1630

I suggest that has been one of the great coups, one of the great accomplishments, of the union movement in this province, that they have built a safe industry, because we know in the construction industry there are great risks and people who engage in those trades are in a high-risk trade. But when the trade is unionized, we know the incidence of accidents is much less. That's a great concern of mine. I believe the people of Ontario deserve every safeguard that we as legislators can provide to ensure the safety of the people who go to work and build our towns and our cities, who build our industrial sites, our commercial sites, our institutional sites. That, to me, is of great importance.

So very sadly I speak again to a closure motion on a very important topic. I speak against it not just because I'm a member of the opposition; I'm speaking on behalf of the people who have elected me, the people I went out

and visited. This is what they're telling me. This is what they've told the Minister of Labour. Would you please listen to the people of Ontario?

The Deputy Speaker (Mr Michael A. Brown): Further debate?

Mr Christopherson: I appreciate the opportunity, limited as it is, because this is a time allocation motion meant to close down debate, end discussion. I believe at the end of this anybody who has followed along would ask themselves, "There seems to be a lot of controversy left. Why are we shutting down debate on this? Why is it being rammed through?" But then we've asked that question about virtually every piece of legislation of importance—certainly those that are very controversial—that has come through this place.

I'm not going to spend a lot of time, because I think that's what the minister would like, but I want to just take a moment to comment on the approach that the minister has taken. Again, and I've said this often and I see no reason to change that, I have a great deal of respect for Mr Stockwell as an individual, as a parliamentarian, and his inherent skills. But I have to say that I felt very insulted, and I thought it was beneath him as a minister to spend such a considerable part of his time suggesting that any opposition whatsoever must be born out of either ignorance, foolishness, or, "You're just the opposition, so you're going to harp away."

I think anyone who participates in discussing this bill deserves a lot more respect than that. Rather than spend a whole lot of time defending my right and the right of Mr Moffat, whom the minister felt comfortable raising in this place and using as some kind of example—I don't know. Was that supposed to be some kind of threat that let all the labour leaders know that, "If you speak out too much or too effectively on behalf of your members, I'm going to raise your name in the House, in the place where you have no opportunity to fight back, and I'll do what I can to damage your reputation"? Was that the message? Was that the point? I don't know, but it was very unseemly for the minister to isolate one representative, Mr Moffat, in that fashion.

I think it's important for everyone to participate, and those who do participate deserve respect, whether you're on that side of the House or on this side of the House. To suggest that, "There can't be any good reasons because I've decided that this is fair," is insulting at best.

It's interesting, because before my opportunity to speak came up I was going through the Hansards of the first time we went around with this bill. The approach then was somewhat similar in terms of, "How could you be opposed to something that I think is fair?" But during the discussion there was also a suggestion that this Tory labour minister was the only one who cared enough about working people to bring in such a bill. His tactic has changed a little bit today, but the nonsensical nature of the argument is equal nonetheless, because now he's arguing that, oh, he's been so betrayed by the labour movement, by the construction workers' representatives. He's been hurt, he's been wounded, he's been betrayed.

How could they do this to him, a guy who's there only to help working people?

And we heard his response to a question in question period today, where he actually said—and I suspect he will rue the day he made that statement, because I think it will be dragged out time after time, and rightly so. He stood in his place and said that the best thing that ever happened to working people was electing this government.

Now, he got a round of applause, just like he did now from the Premier in waiting, but you know—the cameras don't show it all—there were an awful lot of members of the government side who were feeling pretty sheepish and thinking, "Even for us, that's over the top."

Interjection.

Mr Christopherson: But while I hear from the Premier in waiting that that's the strategy—and it may very well be—the point is well taken, Minister, that it's all about strategy, ploy, communications. What it is not about is working people, their families and their communities, because if it were, we would see labour legislation in this place that improved the wages and benefits and health and safety of workers. Then their families would benefit and their communities would benefit. But that has yet to happen with this government.

There's a letter from the building trades, dated yesterday, signed by Pat Dillon, the business manager and secretary-treasurer of the Provincial Building and Construction Trades Council of Ontario, that was sent to the Minister of Labour. It reads, in part, "On Friday, November 10, 2000, representatives from construction local unions across the province met to discuss these most recent attacks on construction workers specifically and on working people in general. Those in attendance directed the enclosed letter be forwarded to you to express their concerns on the actions of your government. I must be blunt with the minister. In all my time in the construction industry I have never seen the kind of resentment and anger directed at a government of any stripe as I witnessed last Friday."

You have to ask yourself, if that's the response from the democratically elected representatives of construction workers in the province of Ontario when the Minister of Labour is saying this is so good for working people, that it's going to make things so much better, that they're suddenly going to have all these jobs and everything's going to be terrific—with him saying that and the president of the building trades of Ontario making a statement like, "I have never seen the kind of resentment and anger directed at a government of any stripe as I witnessed last Friday," it begs the question, why is the government doing this? Their argument is because it's for the benefit of the workers. And yet I just read what those very workers have to say about this bill. So what's the real motivation?

I want to offer a couple of suggestions, because the argument the Minister of Labour is giving doesn't hold water. He likes to be ever so rational and reasonable. That's part of what he was trying to do earlier on before

he stumbled so badly. Have you ever seen a bill, other than your Planning Act, that was so screwed up in terms of, "Yes, we're going to have third reading," "No, we're not going to have third reading," "Yes, we're going to have third reading," "It's scrapped," "No, it's not scrapped"? What have you got, an elastic band attached to this bill, you try and throw it in the garbage and it just keeps coming back?

It has been mismanaged beyond belief, but to hear the minister speak, again, to make the point, he says it's for the workers. The workers say, "We don't want it." So why is he doing it? What's the real reason?

1640

I want to make reference to an article that Ian Urquhart wrote on March 15 this year, and I referenced this during second reading debate back in May. Mr Urquhart wrote, "But the unionized general contractors are holding out for an unfettered right to double-breasting." Again, since a lot of these terms have already been defined by previous speakers, I'm not going to use up my valuable time doing that. I'm going to go on the assumption that people know the issues and know what it is we're talking about and what we're looking at here is these issues as they're at play in this bill.

To start again: "But the unionized general contractors are holding out for an unfettered right to double-breasting. The chief spokesperson for the general contractors is Geoff Smith, president of Ellis-Don, the firm that built SkyDome and the Toronto-Dominion Centre."

Mr Steve Gilchrist (Scarborough East): Very good Liberals.

Mr Christopherson: Very good Liberals, absolutely. Thank you, you're helping my point. A little more?

Mr Gilchrist: He's the president.

Mr Christopherson: There you go. He's the president of the Liberals. Anything further? No? All right. If you think of anything, just let me know. I'll stop and give you the room, because you're being very helpful and I do appreciate that greatly.

Mr Gilchrist: We always try.

Mr Christopherson: I know you do.

"Smith's mother, Joan, was a minister of the Liberal cabinet of the 1980s and his father, Don, was the chief Liberal bagman. But in last year's provincial election, Geoff Smith switched sides and headed up a body called 'Liberals for Harris.' Smith says he was motivated by fiscal concerns and not a desire to gain influence with the Tories on labour law changes.

"Whether or not Smith was seeking a position of influence, he seems to have attained it. Earlier this month, he got in to see Premier Mike Harris on the double-breasting issue. Stockwell was not present."

So my first suggestion as to what's really going on here, since the explanation offered by the Minister of Labour holds no water, is that this is political payback, because the biggest winners in Bill 69 are the eight general contractors whose chief spokesperson is Geoff Smith, who, as the government backbenchers have

helpfully pointed out, is a big-time Liberal who switched over and headed up a group called "Liberals for Harris." I have to believe that he was very helpful, because he got in to see the Premier, mano-a-mano, without the Minister of Labour, the very minister who says the reason this is being brought in is because he wants to help workers. So it's payback—political payback. They helped you; you help them. They helped you; now you're going to help them. At least come clean. I didn't say there was anything criminal. I'm just pointing out motivation.

We get support from people who believe in protecting the environment, and when we form a government we bring in real environmental protection and you can say that is political payback. Fair enough. We'll be upfront about that. Environmentalists like the idea of laws that protect the environment, and when you bring in laws that do that, those supporters, those environmentalists are happy. If you want to call that political payback, go ahead. But at least we're upfront about it.

You deny that this is what's going on. That's what makes it an issue. You deny it. You come up with this nonsense about your rationale, that your reasoning for doing this is to help working people. It's not, because it doesn't help working people. That's motivation 1.

Motivation 2, linked but a little more detailed: The Mike Harris Tories from 1995 to the present have received \$12 million in corporate donations. Again, nothing that I'm aware of is unlawful here. But we dig a little further and start saying, "OK, what's the political payback? Who wants what? What do they get out of it?" I think it is a lot more honourable that the environmentalists in the scenario I mentioned earlier have as a win protection for the environment, an opportunity for our children to be raised in a healthier environment.

Here it's about greed, because the big winners in Bill 69 are the eight general contractors. By the way, of the \$12 million in corporate contributions—and by the by, it is at least worth mentioning that this government changed the election laws and the election financing without the support of all members of this House, which had always been the way in the past, so that corporations could increase by 50% the amount of money they can contribute to the political party of their choosing. How convenient. Of that \$12 million in corporate contributions, over \$107,000 came from the eight general contractors who, I submit, are the big winners in Bill 69.

The minister wants to be fair and reasonable and asks people to stand back and look at things objectively. I agree. I ask people to take a look in terms of why this bill is even here and ask yourselves which argument rings true in your gut: the one from the government that says they're only doing this because it is in the best interests of construction workers when we know that the democratically elected representative of those workers is on the record as saying they are totally opposed; or a recognition that the eight general contractors have a person representing that group who used to be a key Liberal, family ties, deep Liberal roots, heads up an organization called Liberals for Harris?

Then we find out that these eight general contractors have contributed \$107,000 to the Tory coffers. That argument says this is about political payback for your corporate friends and has nothing to do with workers other than the fact that they are collateral damage in the process of your paying back your debt. I leave it to the people to decide which argument, which motivation, which scenario rings of the truth as you know how the world operates.

Just a few thoughts before I touch on the bill. First, I've got to give credit. Mr Stockwell is a clever individual. By questioning our motives for opposing this, he does attempt to mitigate our effectiveness in offering criticism and problems and difficulties with this. But when he says that all we are going to do is keep standing up, talking rhetorically about a gun to the head, he is attempting to have us back away from that argument because that's exactly what he'd like.

In fact, if he read the Hansard from the second reading debate, you'll find that the minister didn't even acknowledge that he threatened to remove 1(4), the heart and soul of giving construction workers their democratic rights to a fair collective agreement and a fair bargaining environment. He denied it the first time around. Check the Hansard. Both he and his parliamentary assistant—in fact, the minister is quoted in the Hansard as talking about conspiracy theories abounding. But it needs to be talked about, it needs to be said.

1650

Again, keep in mind this minister said this bill is good for working people and that's the only reason he brought it in, and it's a fair compromise. You know, compromise is reached between equals. There was nothing equal about the power relationship between the minister and the labour leaders involved. The minister himself today admitted, "I can eliminate 1(4) any time I want. We got the numbers. We could do it." That's exactly what he told those labour leaders. He said, "I want this resolved," again, my opinion is, because he was in the process of political payback. He'd been given marching orders from the Premier, and the Premier said, "Fix this. I want that political debt paid to these eight general contractors. We owe them big time, and I want you, Stockwell, to make it happen." So the government called in these labour leaders and said, "Either we find a compromise or I remove 1(4)." That is not rhetoric, that is not to be ignored. That is a significant action on the part of a minister of the crown, and yet that's exactly what he did. In fact, there's a quote later on where the minister acknowledges that 1(4) is back on the table. Note the words, "1(4) is back on the table." It can only be back on the table if it was there the first time. In my opinion, that's an admission that that's exactly what happened.

Ask anybody who was in that room—the government rep, the employer rep, or worker rep—whether 1(4) was being used as a threat. I believe the answer is every one of them would acknowledge, "Yes, that's what was going on." If you sift through enough of the quotes said here and in scums, that becomes pretty apparent. That is a

significant point, because it speaks to why those labour leaders would even sit down and discuss anything to do with Bill 69, let alone possibly support it. It makes a huge difference.

The labour leaders didn't just phone up Stockwell one day and say, "Hey, what do you say, Minister, we start ripping apart a few of our members' benefits and rights? We think that'd be a cool idea. What do you think? Can we get together for lunch and talk about it?" The only thing that brought them to the table, the only thing that kept them at the table was that they were faced with a doomsday scenario. Believe me, having seen what happened in Alberta, where they did the equivalent of removing 1(4) and you see what that has done to construction workers' quality of life, their wages, their benefits, the health and safety on construction sites, and you could see pretty clearly why the labour leaders were seriously concerned, to put it very mildly, about what the threat of removing 1(4) would mean, not for them as individuals; but for their union, for their union members down the road. An extremely significant part of why this whole ugly scenario has unfolded is because that threat was real and it had its desired effect.

It's interesting, the minister said today during his comments—I haven't seen the Hansard, so I won't quote him, but certainly to paraphrase the minister, he said he was going to bring in regulations that would allow them to remove the eight general contractors from the unionization, which the minister characterized as being achieved "through the back door." Interesting. If it was a ruling by any other quasi-judicial body that he supported, that would have been a bona fide decision by a quasi-judicial body that had every right, having considered all the merits of the matter in front of them, to decide and to implement. But since he didn't like it, or at least his eight contractor friends who hold the IOUs don't like it, he chooses to characterize it as "through the back door."

He says that these regulations will allow them to be relieved of these obligations. What that tells me is that when we get to committee, there isn't going to be much of an amendment in terms of words. I'm willing to bet you right now that unless there are a lot of other minor matters that they haven't yet talked about and they'll just say are nothing, and may or may not be something; I don't know—I suspect, based on what he just said today, my first reaction to that is that this is going to be a pretty straightforward amendment, which is consistent with what the minister said before we broke last week. But its implications are incredible, because what it means is we don't know what the changes are to the bill until the regulations are passed. Will those regulations come before the House? No. Regulations don't come here, as we know. As many of us have pointed out time and again—and I don't expect that people would get all excited about it, but for those who understand and watch and participate in the parliamentary process as we have it here, the number of legal matters that have been removed from the floor of this Legislature in front of reporters, in front of the cameras, in front of the public, and into the

cabinet room has been mind-boggling, because there are no cameras in the cabinet room; there are no reporters; there's no opposition. You just make decisions and the world is informed afterwards.

So we don't know what's going to happen. If the amendment comes down and it just says that the bill is amended to give the minister the ability to make regulations with regard to blah, blah, blah, what it means is, in effect, that they're writing themselves a blank cheque. They can implement these changes any way they want. The committee, even for the measly half a day that we're there, won't be able to analyze it until after they've been signed, sealed and delivered into law by virtue of regulations, not legislation.

That is so significant, because at the end of the day it means no one gets a say in what that wording is. It may indeed be limited to what he says, which is bad enough, but it could go further. We don't know. Our only comments, all of us who aren't in cabinet, can come after. That is extremely significant.

I want to mention too, because I think it's very telling—again, I'm just going from the comments that the minister has made in the House here today. During the course of his discussions, when he was arguing why Bill 69 is such a wonderful opportunity for workers, he said that province-wide bargaining as it's now conducted under the existing legislation doesn't allow for the recognition that there are different things happening in different communities, that there are different economies, perhaps different wages, perhaps different needs. Speaking to the differences, certainly we have enough extremes, if you look at some of the northern communities and what their economies are comprised of and how well or how well not they are doing—I'm sure that's grammatically correct—versus, say, Toronto. As a factor, just as a stand-alone point, he makes one.

1700

I don't believe it's enough of a point to justify what he wants to do in Bill 69, but I raise this because it's interesting, particularly for those of us in Hamilton, when there are 40,000 kids not in school as a result of a lockout of 2,300 elementary teachers—with the school board trustees, I might say, saying in writing to the Minister of Education that they can't resolve that strike, that lockout, based on the—in my words—reasonable demands that the teachers have put on the table, without affecting either the number of teachers or programs or supplies that are provided to those students, and they're calling on the minister to step in. That's the scenario that's going on in Hamilton.

I raise that because it's the funding formula that the trustees are saying is hampering their ability to negotiate an agreement with the teachers. And your funding formula is based on what? Equalized funding: every community gets the same dollars per student.

If you check the Hansard, your reason for doing this was the exact opposite of the argument the Minister of Labour used today to justify attacking the way province-wide bargaining is done in the construction industry. So

the ministers ought to get together and get their lines straight. Either it's good or it's bad, but you can't have it both ways, and that's the way you've done it.

I don't want to leave this debate without joining with my colleagues who have raised the issue of accident rates. It is significant that the result of Bill 69 is more non-union contracts being awarded. That's the result. The minister is quoted as saying, "Let's be clear about this: wages are going down." That's only going to happen if there are more non-union contractors in the field. I'll talk about the competitiveness issue in a moment. Bill 69 means more non-union construction sites. The statistics from the Ministry of Labour show that you are two and a half times more likely to have an accident if you're a construction worker on a non-union construction site than a union construction site. That means Bill 69 will result in more injured construction workers.

How do you justify that? Oh, they won't say it here, but the real reason: bucks. It's all about money, all about bucks and political payback, and then when the political payback happens there are more bucks contributed, and when there are more bucks contributed, there's more political payback. And when that wheel isn't big enough, you change the law so that corporations can make bigger contributions, so we've got bigger dollars going in and then bigger political payback, and on and on it goes.

The only problem is, this isn't a game. It's not a game. This is real people who are going to be hurt. And you know what? You might be related to one of them. There are people who are going to be hurt, some seriously, some permanently, for life. Some may die because of what you're doing with Bill 69. I'm sure the minister right now, if he is watching this, is rolling his eyes, but that is the result of moving to construction sites that have two and a half times more accidents. Shouldn't you be taking measures that go the other way? Shouldn't you be taking measures that give us safer workplaces, safer construction sites, rather than more unsafe construction sites?

I want to talk a bit about the bill. I will ignore the minister's personal insults. I'll assume that it was—I don't know why he did it, to tell you the truth. It's very unlike him, unless he was just trying to provoke, but even then he doesn't normally stoop to such gutter-type tactics. He's usually a bigger person than that, certainly as a minister, but I'll leave that to him.

One of the things I want to talk about in this bill—and believe me, there's lots and lots to talk about, but let's keep in mind that these are actions that were put on the table as a result of threats of something even worse. Any tacit approval those labour leaders gave at any point in this negotiating process, if you want to call it negotiations, is as a direct result of that threat and not because any labour leader thought anything in Bill 69 was good for workers.

Under market recovery—you've got to love it; a nice phrase, "market recovery"—subsection 163.2(4)—this is an interesting little game we have here. This is all about competitiveness. Of course the government is arguing

that their friends, the eight general contractors, can't be competitive because there are so many non-union contracting firms bidding on jobs. So the simple Tory answer, the simple Mike Harris answer, is, "If we've got a competitiveness problem, then the way we solve it is, lower those workers wages, lower their benefits, take away whatever rights might inhibit the ability of the corporation to make more money." It's always down; the race to the bottom. How can we help the corporations maximize their profits in the easiest way? Just lower those wages. Why do you think they haven't raised the minimum wage? Partly because they don't give a damn, but secondly, they don't want anything that takes wages upward. They don't believe in that.

We might argue, reasonably, I say, and fairly, if you want to solve this problem in one of the richest countries and provinces in the entire world, you do it by helping those who are making less make a little more. There's enough money being made on the corporate side for this to be done; not as much as some would like, obviously, but profits have never been so high. And Bill 139 gives another benefit to the banks. We'll get to that bill tonight, as a matter of fact. Billions of dollars in profits and you decide you've got to step in and help them out.

1710

When it comes to competitiveness, why aren't you making sure that construction workers understand that by joining a union, statistically they'll make more money, they'll have more benefits, they'll have more rights, and the odds are two and a half times better that they're going to go home at the end of the day? Why don't you promote that instead of promoting how people could decertify their unions? But that of course is heresy to this government.

Their approach is, "How can we find a mechanism that lowers wages but doesn't exactly have us admit that's what it's doing?" even though the minister is on record as saying, "Let's be clear, wages are going down." It's a little bit of a faux pas, but they all make mistakes from time to time. So they come up with this market recovery scheme. What it says is that if a contractor, an employer, believes they are at a competitive disadvantage, they can make application to a third party, an arbitrator, who will decide whether or not there need to be adjustments, which, by the way, can only go down to the collective agreement.

The minister, by the way, when he was asked about this, said, "All that is negotiated is the cost of labour." Listen, and you decide if you agree with the minister. Subsection 163.2(4) says:

"(4) The application may seek only amendments that concern the following matters:

"1. Wages, including overtime pay and shift differentials," and benefits.

That's bad enough. It's bad enough that the law provides a mechanism where the way you deal with uncompetitiveness is not to assist others in making a little more but to take those who are making maybe a half-

decent wage and lower it. That would be bad enough, but it says more.

"The application may seek only amendments"—they throw the word "only" in and then list everything, the kitchen sink included—"that concern the following matters,"—and I read the first one.

"2. Restrictions on the hiring of employees who are members of another affiliated bargaining agent that is in the same employee bargaining agency as that in which the affiliated bargaining agent is a member but who are not members of the affiliated bargaining agent."

It's confusing. Bear with me.

"3. Restrictions on an employer's ability to select employees who are members of the affiliated bargaining agent."

That speaks to the matter of name-hires, which hopefully, if I have time, I'm going to get to. What it does is it restricts an employer's ability, if there's a restriction on an employer's ability to select employees who are members of the affiliated bargaining agent. Under your law, we're already going to see up to 76% name hire. That means people who have lived and invested their lives and their efforts in local communities like mine in Hamilton, and Sudbury and Windsor and Cornwall and right across the province, are not going to get work that they would be entitled to if Bill 69 wasn't passed. You tell me how that helps workers and their families.

This allows that to be increased if an arbitrator determines that there is an uncompetitiveness issue here. If the employer is at a competitive disadvantage, they will have the power, through the arbitrator, to have even more rights than Bill 69 gives them, that being employers. But we're not done. There's also accommodation and travel allowances. We don't know how much of the net pay of a construction worker they will have to use out of their own pockets to pay accommodation and travel costs, which right now are covered under the collective agreement.

But under this 163.2, that can be reduced even further. Don't think it won't. This is not some sleeper clause that's in there because there may be a blue moon in the sky one day. It is there because it is going to be used. It is going to be used to lower the wages and benefits of workers, the exact opposite of what the Minister of Labour says motivates his introduction of this bill.

We are not done yet. There's still more that can be ripped out of the collective agreement through this nifty little process. "5. Requirements respecting the ratio of apprentices to journeymen employed by an employer." We've already had Bill 55 where you've done serious damage to, if not gutted, the laws around apprentices and ratios. The quality of the profession of building trades rests so much on that ratio of how many journeypersons there are to how many apprentices. It's no different than teachers in a classroom and the ratio of teachers to students.

Bill 55 wasn't bad enough. Now you're going to give yourself the ability to increase those ratios. Because it is in the best interests of the profession? No. Because it is

in the best interests of those individual apprentices who are going to be journeypersons? No. Why, then? To address the issue of competitiveness.

We have the finest tradespeople in the world. You think that's something we can just play with. It won't show itself next week or next month. It is going to take a few years. It will maybe even take a generation of apprentices. But over time, the quality of the professional tradespeople that we have is going to lower. You know what? I don't think the government cares as long as there's a corresponding lowering of the wages they are paid and the benefits they get. Why? To maximize the almighty buck. And not at a time when we need any kind of stimulation, as if that would ever be justification enough, and it is not.

But that's not even what we are in. We are in the greatest economic boom in North America that we've ever had, and you want to give your friends even more money at the expense of working people. It is obscene that the government would stand up—but, you know, it has been said in history, "If you're going to tell a lie, tell a big one and tell it as often as you can." For the government to suggest that Bill 69 is in the interests of construction workers is truly obscene.

I want to spend just a minute more talking about the hiring hall issue, because the name-hire—I don't think I have my note, but that's OK. The name-hire is about how many local workers are chosen in a hiring hall versus how many can be brought by the employer from one community to another. I've only got a couple of minutes here, but the minister has argued and I'm sure he'll continue to argue, "I don't know what you're so upset about, Christopherson and everybody else. I mean, we've already got unions that have the ratios that we are suggesting here. Some of them may even have some that are further than that."

That's not the issue. The issue is those trades that have chosen freely—this government likes to use the word "choice." They have chosen freely during negotiations to trade that off for something else: pension improvement, a wage increase, health and safety matters; I don't know. The point is, they made that choice. To suggest that the choice that one individual union makes for its members must be imposed on another is nuts. That's no argument whatsoever. To suggest, "We've got to make things competitive. We want to give the employers the chance to bring the very best people with unique skills into a community to work on that construction site"—we've heard that argument before. You know what that doesn't speak to, just as a stand-alone argument? It's there.

1720

Let's come back and talk about the impact on real people, on real construction workers. If your dad happens to be maybe close to 60, versus someone else who's maybe 25, and you have a free choice as an employer, who do you think is going to odds-on get picked and who's going to get left behind? What about somebody who took health and safety as an issue to heart and got really involved in health and safety in their union, and

was known and highly respected and regarded by their colleagues for the fact that they cared enough about their co-workers' health and safety to get involved? The flip side of that is, how many employers are going to make that person their first choice? The same thing with somebody who was a union steward. They've done absolutely nothing wrong. If anything, they're probably among the better employees because they've shown an aptitude for leadership and an ability to work beyond just 9 to 5, if you will, and care about their fellow workers, the broader concept of community that tends to give a more well-rounded individual. Studies show that that, at the end of the day, often gives you a better and more productive employee.

My time is rapidly expiring. The government on absolutely no front can justify what they're doing. This is about political payback. Construction workers are simply the collateral damage of this government paying back their corporate friends.

Mr Doug Galt (Northumberland): It's interesting to listen to the member for Hamilton West. He ranted on and on about paybacks and about support etc. I think he's forgetting about the tremendous support their party gets from the various unions across this province. He's speaking out on their behalf. We haven't been criticizing him for that, but is that a payback that the NDP is giving to their union friends for supporting them when it comes to elections? I would think he would probably say it isn't; no, they're just trying to be fair and the unions are supporting them. But what's good for the goose is good for the gander. I don't think he quite follows that.

I was quite intrigued with the comments of the Minister of Labour earlier, talking about holding out for big hourly rates, and then what ends up happening? High unemployment, double-digit unemployment, particularly when the NDP was looking after the government. I'm kind of stretching it that they looked after it, but they were in charge of government for a while. They also seem to think it's great to have union halls full of people who are unemployed and not working. I just don't follow that. Certainly, as I heard the Minister of Labour say, the best thing that ever happened to the workers of Ontario was to elect this government: some 800,000 net new jobs created for employees of the province of Ontario. Something like one in 10, in that neighbourhood, of the jobs out there today have been created since we took office, one of the greatest things that could possibly happen for any worker, any family. Probably the best thing we have going for us for welfare is the fact that these 800,000 net new jobs have been created and over half a million people are off welfare mainly because of the stimulation in the economy.

Of course, the member from Hamilton West would like to talk about the only reason it's happening is because of the boom across North America. A lot of that boom was occurring in the early 1990s. It was happening in BC, although when the new NDP government came into the Canadian left coast, we ended up with their going downhill long before the Asian flu came in. They would

use the excuse, "It's Asian flu." But it's about competitiveness. It's about getting out and doing a job. I just have a lot of difficulty following the rhetoric we were hearing from the member from Hamilton West.

I think of the benefit this bill will bring to homebuyers. I have heard so many homebuyers so frustrated that the house is going to be finished one month and it's not finished the next month or the next month or the month after that. Sometimes it relates to materials not being available, but back in 1998 for some five months there were constant consecutive strikes. It was a domino effect. Can you imagine the pain and suffering some of these homeowners went through when they couldn't move into their homes, all because these people were on strike and apparently didn't want to work? Actually I think the people wanted to work; it was the union leaders who didn't want them to work. What a cost it was to those homebuyers. They had already said they weren't going to rent or had sold the house they were in and had to find a place. Can you imagine the cost to each of those families that couldn't move in and the cost to construction workers? These construction workers had families at home, and for five months, because of the domino effect of these various strikes, those construction workers were not able to raise and obtain a fair dollar working where they wanted to work. There was also a cost to employers and contractors who wanted to get on with business but were unable to. It was one horrendous cost to the Ontario economy, a cost that certainly wasn't necessary.

Fortunately, there is a solution, and some of that solution has already been discussed: the fact we can co-ordinate trade agreements to all come due on April 30 and then up to a 45-day period, up to June 15, they can go on strike or lockout, whatever they think they have to do, and if they can't settle it, an arbitrator would be brought in. That's certainly the kind of thing that can be of assistance.

Certainly moving to flexibility, where an employer group can look to the union groups for a different rate—I think that would be very helpful. The member from Sudbury is concerned there's a lack of construction going on in Sudbury. Maybe the lack of flexibility that's negotiated across the province with no give and take is the reason there's no construction in Sudbury.

I look forward to getting on with this bill and being able to vote on it.

Mr Crozier: You know, it was the very last comment of this speaker that reminded me of what I want to speak to in the few minutes I have, that he wants to get on with this bill and get it voted on. That's what this motion is all about. It's all about closure again. A lot has been said on the other side today about democracy and fairness and choices. What does this motion do but simply take away the democracy that's in this Legislature, and it does it in an interesting way.

The motion we're debating—and I speak to the motion because a lot has been said this afternoon about Bill 69, and I think some of the wrap-up comments might be about it. So, in my view, enough has been said about that.

What I want to point out is that what we're really talking about is that Bill 69, having been brought to the Legislature and debated—and I could stand corrected—was probably sent to committee after second reading on time allocation. It now has been decided by the government that the bill wasn't quite what they wanted. I don't know whether this was by intent or by mistake or whether they've actually listened to somebody, but the bill was in committee and was reported by the committee for third reading. Now they want to send it back. Well, that on the surface is good, because if there is something wrong with the bill, if it was poorly drafted, then I think it's good that it goes back to committee and there is the opportunity for amendments. But there, colleagues in the House today and those who may be watching, is where the good part stops, because it's going back to committee for one day, and that is even named in the resolution. That's going to be November 16th, two days from now. It's going to be in committee for one day. Presumably, the government amendments will be put on the table. There may even be some opposition amendments to the bill, and you know and I know what happens to opposition amendments.

1730

The minister stood here today and kind of touted how, you know, when he was a member of the third party he voted for government bills. I can tell you that in seven years here, particularly since 1995, I have been in committee and I have seen the opposition propose amendments to bills and I have yet, in my experience at least, to see one accepted. That says so much to the minister for how fair and gregarious he is.

This is going to go back to committee for one day, and we all know what happens at the end of that day: clause-by-clause; the committee can even sit past its regular time. But come 4:30 that day, no matter what has or has not been discussed, it all starts to get shut down in the undemocratic way that this government handles its own legislation and our opposition to it. What will happen, as we know, is there will be no further discussion on the amendments; they'll then be put. I'd be willing to bet—and I'm going to keep an eye on this, and I've told you before that I'm not a betting person—that the government motions will pass, and if there are any opposition motions, what do you think will happen to them? They'll be defeated. I have no doubt that they'll be defeated.

There we go: it's back to committee. The government majority in the committee will handle their resolutions in a quick way, and any opposition amendments will be defeated. So there we are at the end of the day, where the committee then has to report by November 20th, which is only six days from now. So some time next week the bill has to be reported back for third reading. Then, when the government chooses to call it, the next step is one that frankly happens all too often. In fact, my colleague from Ottawa-Centre, Richard Patten, has written a paper called *Democracy in Ontario* and it's really about—

Mr John Gerretsen (Kingston and the Islands): An excellent paper.

Mr Crozier: It is a good paper, and should be read by all, because it points out the lack of democracy in this Legislature, the number of times that this government, more than any other government in the Dominion of Canada, has used closure, has shut down debate, has choked off democracy. So that's what we're going to have, come next week some time. We're going to end the democratic process, because what it says in the motion is, "One sessional day shall be allotted to the third reading stage of the bill, at the end of which time the Speaker shall interrupt the proceedings and shall put every question." We're getting used to that here. We're getting used to the fact that you really don't get an opportunity for all your members to debate the issues, because this government doesn't like to listen to debate that comes from the opposition. In fact, I've even suggested they don't like to listen to debate that comes from their own members, because their own members are shut out in this process.

I object to this resolution that's before us today. I will obviously vote against it, because it's just another notch in the old handle of shutting down debate in this Legislature.

The Deputy Speaker: Further debate?

Mr Gerretsen: I completely concur with the member for Essex on the closure motion that we have before us. But, you know, the government is getting even more arrogant than just simply bringing a closure motion to this House. It seems to me that for just about every bill closure is being invoked at some point in time to shut off debate. But it's even getting more arrogant, because there's a sentence in this closure motion that not only tells a committee what to do, but also what is deemed to have been done if the committee doesn't do it. Let me just read that sentence to you. It says that "in the event the committee fails to report the bill on the date provided"—and there's a preamble as to when that date will be, which will be sometime next week—"the bill shall be deemed to have been passed by the committee and shall be deemed to have been reported to and received by the House." So we're left with the situation now where not only are we being told in closure motions that there shall be no further debate, we are no longer being told that, yes, the committee can discuss a bill for an hour or two hours, and we are no longer being told that committee amendments after a certain period of time can no longer be implemented, but we're going one step further now. We're saying that if that happens, if the time factor has taken place, then, in effect, the bill shall be deemed to have been passed. Now, you talk about arrogance. It is November 20, which is less than a week from today. It is totally unconscionable.

I was also taken by a comment that was made by the member for Northumberland in which he basically said to the member for Hamilton, who by the way gave an excellent speech on behalf of his party on this particular piece of legislation, "Well, you guys are supported by the unions and we're supported by big business, by the construction companies, and so be it. You'll get your

chance at some point in time in the future." Those are not the conditions under which we should be passing legislation in this House, so that one group in our society can somehow get an advantage over another group, whether they're business, whether they're labour, whether they're any other group at all. Surely to goodness the kind of legislation that we should be passing in this House should be legislation that is good for all of the people of this province. It shouldn't be based on somehow getting even with one group because of something that another government in the past may have done. That is simply and totally counter-productive.

Let me just read very quickly into the record in the few minutes I have left some of the correspondence I have received on this particular bill and to completely contradict what the Minister of Labour has said, that basically this is the best kind of compromise that could be reached in this particular case. Here is a letter from the Millwrights and Machine Erectors, United Brotherhood of Carpenters and Joiners of America, local 1410 in Kingston. We are very proud of our unionized workers and building trade councils in the Kingston area. Let's see what Wayne VanKoughnett, who is the business representative of the Millwright Regional Council of Ontario, says—very direct, one paragraph—"The content of the following letter is of significant concern to all Canadians whether they are union or non-union. Why is the current provincial" government "trying to take away from Canadians the laws that were enacted under Premier Bill Davis that protects our rights?" Very simple: why is this Conservative government trying to wreck the legislation that was forward-looking and brought in by Bill Davis, another Conservative government, some 20 years ago?

1740

I have another letter here from the United Brotherhood of Carpenters and Joiners and it states as follows—this is a little lengthier—"On behalf of the Millwright Regional Council of Ontario, I am writing to express our absolute opposition to Bill 69"—unequivocal, absolute opposition to Bill 69—"The Millwright Regional Council of Ontario is comprised of eight local unions throughout the province.... Never in the history of labour legislation in the province of Ontario have strangers to a collective bargaining relationship been allowed to affect the bargaining rights of another trade union. I refer, of course, to the ability of the other trade unions to allow general contractors to escape their collective agreement obligations for certain trade unions for the geographic areas outside of Toronto."

It goes on to say, "The ability of employers to gut the provincial collective agreements and appoint arbitrators to settle the terms and conditions of employment is totally counter to normal Progressive Conservative principles that allow the marketplace to determine these issues....

"Bill 69 is anti-union; Bill 69 is anti-small town Ontario; Bill 69 is anti-free collective bargaining; Bill 69 is anti-aging workers; and Bill 69 is anti-safety on con-

struction sites." So says Claude Courmoyer, the executive secretary-treasurer of the Millwright Regional Council of Ontario.

He concludes, "The only positive thing that can be said about Bill 69 is that it allows the Conservative Party to deliver on its mandate to assist the large construction companies who have financially supported the party." It is a sad state of affairs in the province of Ontario that it has reached these limits.

Finally, another letter here—it already has been referred to earlier—from Patrick Dillon, the business manager, secretary-treasurer of the Provincial Building and Construction Trades Council of Ontario. "I must be blunt with the minister," he writes to Chris Stockwell, the Minister of Labour, "in all my time in the construction industry"—and this gentleman has been around for a long time and many of us know this gentleman; I'm certainly very familiar with his family who live in the Kingston area as well—"I have never seen the kind of resentment and anger directed at a government of any stripe as I witnessed last Friday." This is a letter, by the way, that was dated yesterday, November 13.

"You should also know that I recently attended a meeting in Kingston, hosted by the Kingston labour council.... The message coming out of this meeting was quite clear—enough is enough! There was an overwhelming sentiment to send the government a strong message about these continuous attacks on working people.

"While all of us know the government has the numbers to enact whatever legislation it desires, we also know working people have other means available to them to have their voices heard. I fear that these continued attacks on unions and working people will lead to instability in the workplace and will eventually wreak havoc on Ontario's booming economy.... These attacks on working people have to stop now.

"Patrick Dillon, business manager."

Finally, a letter from John Telford who's the business manager of local 221 of the Quinte St Lawrence building trades council. I'm very familiar with Mr Telford in the Kingston area. He states in a letter to the minister: "Minister, I say to you, that gutting collective agreements, lowering safety standards and abandoning apprenticeship training has never reduced the cost of construction in any geographic area that this agenda has been put forward."

I've only got a minute or so left. Let me just quote to you the very last paragraph.

Interjection.

Mr Gerretsen: You may be shouting. You may be—

Interjection: The member for Northumberland, who never says anything.

Mr Gerretsen: The member from Northumberland who hardly ever says anything in this House, that's worth hearing about anyway.

Mr Telford says, "In closing, Mr Stockwell, I do not think that the industry committee or the EBAs have the legal right to alter any collective agreement without the

approval of the affected parties. I liken this to having the clowns in the circus voting to remove the safety net for the high wire people to save Barnum and Bailey money."

That's exactly what this government is doing. It is a very appropriate—what is it? A simile? No. It is a very appropriate description of what this government is doing.

Interjection: It's a metaphor.

Mr Gerretsen: It is an appropriate metaphor, I take from my teaching friend.

"I urge you to listen to the people whose lives and families will be affected by this type of regressive no respect legislation."

I ask this government and the minister to do the right thing again. Why bring greater discord in this province? Why attack the union workers of this province? Withdraw the bill. Sit down with all the parties and come up with a reasonable piece of legislation that is good for all of the people of Ontario.

The Deputy Speaker: This concludes the time allotted for debate.

Mr Stockwell has moved government notice of motion number 7.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. It will be a 10-minute bell.

The division bells rang from 1745 to 1755.

The Deputy Speaker: All those in favour will please rise one at a time until recognized by the Clerk.

Ayes

Amott, Ted	Guzzo, Garry J.	O'Toole, John
Baird, John R.	Hardeman, Ernie	Ouellette, Jerry J.
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Beaubien, Marcel	Hudak, Tim	Snobelen, John
Chudleigh, Ted	Jackson, Cameron	Spina, Joseph
Clark, Brad	Johns, Helen	Sterling, Norman W.
Coburn, Brian	Johnson, Bert	Stewart, R. Gary
Cunningham, Dianne	Kells, Morley	Stockwell, Chris
DeFaria, Carl	Klees, Frank	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Tilson, David
Ecker, Janet	Maves, Bart	Wettlaufer, Wayne
Eves, Ernie L.	Mazzilli, Frank	Witmer, Elizabeth
Galt, Doug	Molinari, Tina R.	Wood, Bob
Gilchrist, Steve	Munro, Julia	Young, David
Gill, Raminder	Newman, Dan	

The Deputy Speaker: All those opposed will please rise one at a time until recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	Kwinter, Monte
Bartolucci, Rick	Curling, Alvin	Lalonde, Jean-Marc
Bountrogianni, Marie	Di Cocco, Caroline	Lankin, Frances
Boyer, Claudette	Dombrowsky, Leona	Marchese, Rosario
Bradley, James J.	Duncan, Dwight	Martel, Shelley
Bryant, Michael	Gerretsen, John	McLeod, Lyn
Christopherson, David	Gravelle, Michael	Patten, Richard
Churley, Marilyn	Hampton, Howard	Peters, Steve
Conway, Sean G.	Hoy, Pat	Ramsay, David
Cordiano, Joseph	Kormos, Peter	Ruprecht, Tony

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 44; the nays are 30.

The Deputy Speaker: I declare the motion carried.

It being 6 of the clock, this House stands adjourned until 6:45.

The House adjourned at 1758.

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No. 101B

N° 101B

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 14 November 2000

Mardi 14 novembre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers



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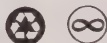
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 November 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 novembre 2000

The House met at 1845.

ORDERS OF THE DAY

LABOUR RELATIONS AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL

Mr Stockwell moved second reading of the following bill:

Bill 139, An Act to amend the Labour Relations Act, 1995 / *Projet de loi 139, Loi modifiant la Loi de 1995 sur les relations de travail.*

Hon Chris Stockwell (Minister of Labour): Today I'm up to proudly speak to a bill that I think is a good piece of legislation, Bill 139. Although it caused some ripples of discontent among the union sorts in Ontario, I think their reaction was somewhat swift and somewhat overreactive. The bill itself, in my opinion, is a reasoned and thoughtful position put forward by this government to rectify certain concerns we have with respect to the Labour Relations Act.

I'll be very curious to hear from the opposition exactly what it is about this bill they don't particularly like, because although I heard a lot of bluster in question period, a lot of chest-thumping, I never really got a good idea about what it was in the bill they didn't like.

Mr Dominic Agostino (Hamilton East): You're not listening.

Hon Mr Stockwell: Oh, I'm listening. I see my friend from Hamilton East is back. I'm listening. I just have a difficult time separating, in schoolyard vernacular, the wheat from the chaff. I will be fully cognizant of the mutterings of my friends across the floor, because I think it's important that they outline in very strict terms what it is about the bill they don't like.

Let me just walk you through the bill very quickly. This is a very thoughtful bill. It's very appropriate, in my opinion, and it does a few things.

There are about seven parts of this bill that I would classify as the meat of the legislation. The first part—and I'm not sure anyone really opposes this; I don't even think the union leadership opposed it either—is salary disclosure. I know many people in Kingston and in Kingston and possibly even Kingston would say that it's important that you disclose how much a union executive

is making if it exceeds \$100,000 a year. We all fall under those same requirements in the broader public sector. I know in the private sector for publicly traded companies there's a disclosure mechanism that's put in place for the highest-earning employees. This bill would do exactly to the union executive what we do to ourselves and what they do in publicly traded companies.

Interjection.

Hon Mr Stockwell: The member for Hamilton East is babbling once again while I'm trying to explain the bill, but I'm going to rise above that. Thank you.

Just passing on today, did you notice the member for Hamilton East saying he thought it was terrible that I personally took on a person who was from outside the Legislature, who wasn't in here, and assailed them? I thought to myself, imagine that coming from the guy who slandered how many people with his questions on ORC. It was certainly passing strange, wasn't it, that a member would make that allegation against me, considering the weeks on end he stood in his place and slandered virtually every developer who's done business with the province of Ontario. But I guess that's passing strange and I shouldn't revisit that issue. I think it's important to note those things for the record so consistency can at least start somewhere.

The next one is the decertification change. I know my friend from Simcoe is going to speak to these issues—

Interjection: Barrie.

Hon Mr Stockwell: I'm sorry, Barrie. He knows these very well and he'll expand on them. But let me just talk about decertification.

The decertification changes are fairly simple. Rather than a 60-day window at the termination of a collective agreement to decertify a union, we've expanded that to 90 days. Rather than two months, we're going to three months. That doesn't seem outrageous to me. I don't think we should be starting any wars over this. I don't think there should be declarations of war over that. That's a little bit of overreaction. That's the one part of that.

We're also suggesting they post neutral information on decert procedures. I think they've misunderstood exactly what a decert procedure can entail. A decert procedure posting means that the employees of that unionized shop understand what the rules are if they want to either decertify their union or in fact change from union A to union B. Mr Hargrove has made much mileage of this in the last little while, suggesting that employees, workers, should have more opportunity to determine who

represents them. These kinds of opportunities to explain to workers how to go about decertifying can either decertify a union or explain to them how to go from one union to another union. To me, that's fairly reasonable.

The argument was—

Mr Agostino: That usually doesn't happen.

1850

Hon Mr Stockwell: The member for Hamilton East is absolutely bang on. It doesn't happen, because they don't have the information that would allow them to make that kind of conscious decision. That's the problem: workers need the information in order to exercise their rights. I can't imagine anyone suggesting that you shouldn't have information. How do you go about exercising your rights as an employee or worker of a union if you don't know how to go about doing it? That's a fact.

Mr David Christopherson (Hamilton West): What about the non-union jobs?

Hon Mr Stockwell: I hear my friend from Hamilton West—and the Hamiltons are well represented again tonight—and they talk about the non-union shops. Listen, I met with unions before this bill came forward. Not one union told me—not one—that they weren't vigorously and aggressively out there trying to unionize non-union shops. I believe them. I presume that they were telling me the truth, that they're out there vigorously and aggressively trying to organize non-union shops.

The problem is there's no corollary here with respect to unionized shops. In a union shop, the union—and I don't blame them for this—does not want to tell any of their workers how to go about decertifying. It's not in their best interests. I understand it; I accept it. The employer is not allowed to tell a union member how to go about decertifying his union. So there's a chasm, there's a void of information. Contrarily, in the non-union sector, the unions are aggressively in there informing employees, driving memberships to try to get them to unionize. There's no information shortage in the non-union sector.

So all we're suggesting is that those good employees, in order for them to make a reasoned and thoughtful decision, be provided the information. I don't think that's unreasonable, and I know I've read a number of articles around the province and a lot of people are saying the same thing.

Now, those are just the salary disclosures and decertification changes. There are other ones: a mandatory bar for one year in a drive situation. This one really is baffling. I can't seem to understand the consistency in the opposition's argument to this one. On the one hand they say, in good conscience, that you shouldn't be able to decertify a union except for the final two months of a collective agreement. Most collective agreements run 36 months. So out of 36 months, 34 months are off limits as far as decertification is concerned. They think that's fair and reasonable. But if you lose a certification drive, you can't put a ban in place for one third of 36 months: 12 months. This is unreasonable. It's unfair. But the exact mirror image on decertification—it's OK to ban that for

34 of 36 months. Where's the consistency in the argument? If it's good for one, why would it not be good for the other? Why? Because it just happens to be not to their liking. There's nothing particularly consistent or reasoned or thoughtful about their argument; it's self-serving. They just like the fact you can't decertify for 34 of 36 months, and they like the fact that you can certify any time you want. That's it, and there's nothing else to the debate. That's their consistency.

So that one I have a lot of trouble with. I don't know why they're getting worked up about this one, about the one-year ban. I can't understand that. There's no consistency to their argument. It's self-serving, it's shallow, and when you make the argument to them, "If you think you should be able to certify at any time, why can't you decertify at any time?" they say, "Well, you can't do that." "Well, why not?" There's no argument.

Interjection.

Hon Mr Stockwell: I hear the member for Hamilton East bantering away in his typical fashion, but I still put it to you, explain to me when you get up to speak, if you do, the inconsistency in your message, why it's OK to have a decertification window two months out of 36, but you should be able to certify any time you want. Where's the consistency in the argument? That is decertification.

Vote clarity: this one's another simple one, in my opinion. I don't understand why anyone opposes this either.

First-contract negotiations: the employee, for instance, put yourself in their position. The union executive comes back and says, "OK, here's the offer from the company. We don't think this offer's good enough. You should turn it down." The employee says, "Yes, I think you're right. I should turn it down." But on the same ballot they also say, "Give us a mandate to go out on strike." So in one question, you have to make two decisions. You have to make the decision to turn down the offer, and make a decision to go out on strike.

All this says is that rather than asking one question that requires two separate answers, you simply ask two questions; one, "We think this is a lousy offer and you should turn it down," and the employee agrees and says, "Yes, I'll turn it down," and the second question, "We want you to give us a strike mandate now." They are not mutually exclusive. There are employees who may say, "Sure, I don't think this offer is acceptable, but I don't want to go on strike." What's the matter with that? That's reasonable.

Mr Christopherson: Where do you go from there?

Hon Mr Stockwell: Now, you see, the only person who can find fault with this is on the other side. Where do you go from there? You go back and you negotiate a collective agreement.

Mr Christopherson: What do you negotiate with? Do you go down on bended knee?

Hon Mr Stockwell: See? Again, the member for Hamilton West doesn't want to give the ability to make a decision to the worker. He wants to make it for him, because he knows more than the worker. He knows

what's good for the worker. He knows what's best for the worker. He doesn't. "No, I know what's good for you workers. I understand this better than you. I don't need you to bother your little minds about this. I'll look after you."

Mr Christopherson: You hypocrite.

The Acting Speaker (Mr Tony Martin): Member for Hamilton West, just withdraw.

Mr Christopherson: I regret that the minister was hypocritical, Speaker.

The Acting Speaker: Just withdraw. Just say, "I withdraw."

Mr Christopherson: I'll withdraw.

Hon Mr Stockwell: I think that was an attempt at humour.

Anyway, Mr Speaker, we have these union executives suggesting that they know better what's better for the workers than the workers know what's better for themselves.

Now, these are reasonable, but you know what? They don't like them because they don't want to give the power to the worker to make these decisions. They want to take it away from them and make the decision for them. So that's the split vote. That's the controversial—and this is only the first contract. This is the controversial split vote. This is the war that's been declared by Sid Ryan and Wayne Samuelson et al, the same crowd. It's the Seven Years War, apparently; it's never ended.

The next one we have is the non-construction employer. This one, to me, is really, really about fairness.

Mr Christopherson: Of course, like everything else.

Hon Mr Stockwell: See? They're learning. It is about fairness. What's fair about asking municipalities and school—

Mr Christopherson: Fools and crazies, right?

Hon Mr Stockwell: Well, you said it. Anyway, what we're saying on this particular piece of legislation is this: if you are a municipality or a school board and there's legislation in place today that doesn't allow you to tender construction work to non-union companies, we're taking that off the books. We're not saying you have to tender to non-union; we're not telling them they have to tender to union. We're not telling them anything. We're just allowing them to tender the work to whoever they want to tender it to. That seems like another reasonable position to take. There's a law on the book that says—

Mr Christopherson: The minister of reasonableness.

Hon Mr Stockwell: He's learning quicker too. There is another law on the book that says that certain municipalities and school boards can only tender—

Interjection.

Hon Mr Stockwell: No, not any more. They can only tender their work to unionized companies. Well, 81% of those workers in the private sector don't work for unionized companies. So implicitly, that legislation is discriminatory. It's discriminatory against anyone who doesn't carry a union card, because you can't bid on the work.

1900

Let's reverse the situation. Let's say we had a law on the books that said any construction work for municipalities and school boards could only be tendered to non-union companies. Would they think that's fair? I think not. I think they'd be somewhat apoplectic if there was a law on the books that said, "Union companies can't bid."

This is the problem: you can't square the circle with these folks because if it were the other way around it would be discriminatory, but if it's in their favour, it's reasonable. See, there's no consistency to them. None. They're the most inconsistent group I've met. They think it's OK that public dollars should be used to discriminate against 81% of the population—patently absurd. You go ask the folks in the good province of Ontario, put it before them and say, "Do you think it's fair that government contracts can only be bid on by unionized companies?" Do you know what they'd say? They'd say no, because it's discriminatory. They'd say no for the very same reason that they said no to their job quotas legislation: because they know it's discriminatory. No one should be excluded from bidding on work for government money because they don't have a union card.

You see, that's the thing. This is the funny thing; this is the humorous part. The humorous part, for my Hamiltonian friends here, is they believe that the only fair wage is paid by a union company. It's absurd—patently unadulterated absurdity.

Interjections.

Hon Mr Stockwell: See, they're so bought into the mantra of the unionized workforce that they can't get it through their heads that there are good non-union construction companies that are safe, healthy workplaces that should be allowed to bid on government work.

Mr Christopherson: Name names.

Hon Mr Stockwell: Name names? I've got dozens.

Mr Agostino: Name them. Name one.

Mr Christopherson: This is an embarrassment.

Hon Mr Stockwell: You're embarrassing. You and your nine buddies there, you're embarrassing.

The Acting Speaker: OK, maybe we can tone this down a little bit, keep it from back and forth and being personal. Speak through the Chair. And if the members across the way would—

Interjections.

The Acting Speaker: The member for Hamilton East, if you're going to heckle, be in your own chair, for one thing. I don't mind a little heckling, but it's getting to be a bit much here. Go ahead.

Hon Mr Stockwell: The sad reality is that you have this member for Hamilton West sitting here claiming he speaks for what? For who? Look at the polls, look at your votes. Who do you represent? The public has moved. It has moved forward. It has dealt with the issues that you keep harping about. The public doesn't believe that you should be able to tender public work and exclude 81% of the population. They don't believe that and it's reasonable not to believe that. If they tried to preclude your union companies you'd go nuts, and so you should. You

should not be able to preclude a union company or a non-union company. It's taxpayers' money; they've paid their taxes. They have every right to bid on the work. So if you think you're representing frontier thinking, my friend, you've gone back to the 1700s.

You know what? This cabal of nine—you should look around, the nine of you, because you're becoming extinct. So ennobling a cry, and every election it gets smaller and smaller. You're out of touch. You're out of sync. You're not in sync. The public has passed you by. They don't believe this union stuff any more. They don't believe you should preclude non-union people. They don't believe unions should get special deals that nobody else could get. They believe in fairness. They believe in a tendering process that allows every person who pays taxes and who has a company in this province equal access. You're out of touch. You're so completely out of touch it's unbelievable. If you continue down this road, there are going to be four or five of you and we're going to have to drop the official party status again.

Certification and streamlining: it allows the OLRB to rehear cases if the decision is not released within six months. That's not unreasonable. If they haven't heard a case in six months and made a decision, then you can make an application to be heard again.

Interjection.

Hon Mr Stockwell: It is reasonable. I read your Hamilton Spectator. You've got columnists in there telling you it's reasonable.

Duty of fair representation is also in here.

This is it. Bill 139 is a reasoned and thoughtful bill. It speaks to the issues. I canvassed the concerns. We have talked to the constituents and, I'll tell you, they are in favour. I know what the member from Hamilton West will say. He's out of touch. He's living in a world all unto his own and he represents about 15 people. Let him say what he says.

But I want to know what the member for Hamilton East says. I've got to hear from him. Which part of this bill is he really opposed to? The ban for a year, when it's three years on decerts? Are you opposed to that? The \$100,000 disclosure when everyone else is disclosed? What are you opposed to? Vote clarity, which gives the employee the opportunity to say, "I vote no to this and yes to that"? More power? Are you opposed to letting non-union companies bid on publicly tendered work? What are you opposed to? I'm going to be real interested in hearing this. I don't know where the Liberals are going on this one, but I'll be very interested in seeing, if they vote against it, what they are opposed to.

I turn it to my friend from Barrie.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to enter the debate here. The member from Sudbury doesn't want us to rotate because he knows we don't have to right now, so I'm going to continue on Bill 139.

We were debating Bill 69 this afternoon. I'll say that the Minister of Labour has done another very thorough job of looking at what the issues are that are necessary to

fulfill our Blueprint commitments. This is a very interesting situation and there are a number of areas, as he says, that we have touched on. Certification bars is one, vote clarity, non-construction employer, project agreement amendments.

I think it's fundamental—I'm just going to touch on the non-construction employer issue. I think everybody understands what the construction industry is about and the employers who are involved in the construction industry, but let's face it, municipalities, school boards, banks get involved—

Mr Agostino: On a point of order, Mr Speaker: I have an interest in listening to my colleague across the floor, but I would like to make sure we have a quorum.

The Acting Speaker: Is a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Barrie-Simcoe-Bradford.

Mr Tascona: For example, a municipality that wants to build a water facility construction and that tenders the contract to a general contractor should not be construed to be in the construction industry, because they are not. Essentially they've got a project that has to be finished in terms of following through on the services they have to provide to the community. But the general contractor who is in the business of construction of that water facility is the party who is in the construction industry, not the municipality that has tendered a project. The same thing with a school board that is going to build a school. Obviously they have to have the school built to satisfy the requirements under the Education Act and have that school operating. But it is the general contractor they tender the contract to who is in the construction industry. That's the line in the sand that has been drawn here.

1910

Quite frankly, I think the Minister of Labour is right on point here. It has been far too long that there's been that blurred line. A municipality should not be unionized for going into a construction project in those circumstances, because the result is that they're unionized for a specific trade for that particular project. For the municipality, depending on the size, that may be the only project they get involved in for many years. For them to be unionized for that particular project doesn't make a lot of sense.

I think the non-construction employer amendments allow employers like municipalities, school boards and banks to tender to both union and non-union contractors. The fact of the matter is, they are not in the construction industry per se. That, obviously, will have competitiveness factors in terms of union contractors who want that work, because they'll be bidding against non-union contractors. That, in the end, if it is competitive and with accountability, will be in the best interests of the taxpayers.

Another aspect of the bill—there are a number of changes. I want to refer to an article. I notice the members from Hamilton aren't here any more, so I'm going to refer to it specifically. It's from the *Hamilton Spectator*, Saturday, November 11. It is entitled "Changes to Labour Relations Act are 'Healthy.'" This is coming from Hamilton. "Mike Harris has proposed, among other changes, to require all companies to post a bulletin explaining how workers can decertify their union. Up until now, any application to decertify a union had to take place within the last 60 days of the current collective agreement. That period will be extended by Mike Harris to 90 days."

I want to digress for just a moment, because that point where it says the proposal to require companies to post a bulletin explaining how workers can decertify their union—Ian Urquhart's comments from the *Toronto Star* on Monday, November 13, entitled "Ontario Unions are Beginning to Fight Back," say about Bill 139, "This bill would place new obstacles in the way of union certification drives and require unionized employers to distribute information to their workers about how to decertify." That's what the bill requires.

To move back to the *Hamilton Spectator* article, the period where decertification can occur has been extended from 60 to 90 days before the expiry of the collective agreement.

"The labour movement seems to think that these changes are almost criminal.

"When you think about it, all that is happening is that workers unsatisfied with their union are being empowered by the necessary information to take action. The rules have always been there, it's just that unionized workers often did not know they existed." That's a fair comment.

It goes on to say, "What can be so awful about workers simply being advised of their rights in relation to their union? Is the union movement trying to hide information from their own workers? Is an extra 30 days going to make a difference?

"In my view, these changes are more likely to make the union movement a healthier one. Union executives will have to be more responsive to their members and their needs. The threat of decertification would be more real. In effect, unions will be made more accountable to their members. Maybe there will be fewer disgruntled union members trying to consult a lawyer.

"It is important to note that just because a union is decertified does not mean that a workplace will become a non-union shop. A union may be decertified, simply to be replaced by a more responsive union."

The next issue dealt with in this article in the *Hamilton Spectator*—I think it's a very good article because, in very simple language, it explains what's going on: "Another change proposed by Mike Harris is that when a union is negotiating its first collective agreement, the members have to be asked to vote separately on whether they accept or reject the initial contract and whether they in fact want to go on strike as a result.

"Again, this appears very democratic. It is quite possible that workers may want to reject the first contract but let negotiations continue before they actually take strike action. Why should they not be allowed to vote separately on those issues?" That's dealing with the first contract and also the strike vote, and this article goes on to say, "Why does it have to be an all or nothing vote? Going on strike can be financially devastating for workers." That's a fact.

And, he says, "Why would they want to leave such an important decision to their union executive? If the workers want to go on strike—and remember they are the ones that are going to go without a paycheque during the strike—that is their decision.

"Frankly, the union movement's objections to these changes appears to be a bit patronizing of rank and file union members. Somehow, the members are not to be trusted with information and power. Harris's changes simply seek to inform workers of their rights and ensure that they make such important decisions as whether they go on strike in a fair democratic process. Is the union movement afraid of its own members? If so, why?

"Mike Harris has brought changes to workers' rights in this province on a number of occasions in the past." On almost every occasion, there has been criticism by the union movement, and frankly it's getting very difficult for the union movement to argue these democratic changes aren't necessary.

That's an article from the *Hamilton Spectator*, which I have quoted. I think it makes some common sense in terms of explaining the situation. We're talking about information for union members to make decisions about their rights in the workplace, and we're talking about empowering them with respect to such fundamental issues as dealing with a first contract and going out on strike. After all, what could be more fundamental about a person's livelihood and their job than going out on strike?

This certainly fulfills our Blueprint commitment and strengthens workplace democracy. After all, we indicated before we ran, through the Blueprint, that we were going to be taking action to strengthen workplace democracy, something we did in a number of ways in our last mandate.

We are also enhancing the rights of individual union members in areas such as decertification, salary disclosure of union leaders and separate strike and ratification votes for first contracts. I submit it restores a better balance to the labour laws and promotes stability that supports job creation and economic competitiveness. That's what we need in this global economy and that's what we need to compete with our competitors like Michigan, Ohio and Pennsylvania.

I want to deal with a number of these areas.

Decertification provisions: open periods at the end of collective agreements begin at three months. Previously it was two months. This is just a process change in terms of the time someone can file for decertification. The ministry is to publish information on decertification,

employers are to make reasonable efforts to post and provide the document to employees, and the Ontario Labour Relations Board is to give priority to decertification applications in situations where there is a decertification application and a first-contract arbitration application.

1920

The next area we are dealing with is salary disclosure. The salaries and benefits of union officials and employees earning \$100,000 annually are to be disclosed to employees represented by a union and to the Ministry of Labour.

Vote clarity: separate questions in strike and ratification votes in first-contract situations. Let's face it, we're dealing with a first-contract situation where the familiarity of the employees is not at the same level you would experience in a mature relationship; for example, General Motors and the CAW, where they have been parties to a relationship for many years and would obviously understand what they are doing in terms of continuing the union relationship or discontinuing it.

Interjection.

Mr Tascona: I know the member from Durham is quite familiar with General Motors; need I digress about that?

Bars to successive certification applications: there's a mandatory one-year bar. In other words, the union cannot organize an employer for a one-year period where a union withdraws its application before a vote twice in a six-month period. The normal process in terms of a union and the application for certification is that they would file their application, a voters' list would be prepared, the constituency who would be voting would be finalized and then a vote date would be held. That can be abused—going through that process, setting it all up and the union withdraws their application before the vote because they know that if they lose that vote, then the automatic bar of a one-year period goes into place.

I don't think it's fair to an employer to go through a very disorganized and difficult time frame in terms of an organization drive, where a union is basically going through all the steps and then they withdraw before that vote is taken. If they're going to go through the steps and set everything up, then there have to be some consequences for withdrawing. What we're saying is that if a union withdraws its application before a vote twice in a six-month period, there is an automatic 12-month bar; in other words, they can't organize that place for a 12-month period.

The other circumstance where this applies is where a union withdraws its application after a representation vote. That obviously would suggest that the vote results haven't been taken, but once the vote is taken they basically withdraw and say, "We don't want to know the results. We're just going to withdraw. That way, we'll come back later without any ramifications," because they have a sense, obviously on an objective basis. They should know what's going on, because they withdrew. They're not going to be allowed to do that.

The other circumstance would be after an unsuccessful representation vote. The bar applies to subsequent applications made by any trade union for the positions in the original application.

So it's very clear, in terms of trying to bring labour peace to a particular workplace and not allowing a union to manipulate the process that disrupts a workplace. Once they commence along that road where they want the application in—they've done their work—they should fulfill that process. If they don't want to, then obviously there are going to be consequences where they withdraw and the way they handle the process before and after a vote.

One area I want to touch on is that salary disclosure would apply to private sector unions under the Labour Relations Act as well as teachers, firefighters, police and public sector unions. Other employee organizations may be covered by regulation. Local unions would be required to provide their parents, in other words, their parent union—let's use the example that the Canadian Auto Workers would be the parent union and they have a number of locals, the locals that would be at the plant level in, say, Windsor, Oshawa, St Catharines—with a statement that includes the names of the employees earning \$100,000 or more in salary and benefits and the amount of salary and taxable benefits paid to each of these employees. Definition of salary and benefits would be drawn from the Income Tax Act. A union is required to provide the salary disclosure statement to an employee it represents upon request. A union is also required to submit a disclosure statement to the Ministry of Labour, and the ministry could publish the information.

Bill 139 would provide remedies if a union fails to provide a statement or provides inaccurate or incomplete information, including requiring the union to provide the information in ordering an independent audit of the union's financial records. That is a very clear requirement with respect to salary disclosure.

One other area that we're touching upon which I dealt with a little bit earlier deals with this issue of why the government is proposing amendments that would allow employers to unilaterally remove bargaining rights of construction unions. Part of the throne speech commitment to modernize construction labour relations: non-construction employers were unfairly bound by construction agreements over which they have no control and which do not relate to their businesses. I give those examples with respect to a municipality, with respect to a school board. The affected workers would be able to unionize under the general Labour Relations Act provisions. And it allows broader public sector employers a way to ensure that all publicly funded projects are openly tendered. That's something that makes sense in this competitive market and at a time when taxpayers' dollars are obviously at a premium and should be held to an accountable standard. It opens up for the broader public sector employers to tender to union companies, to tender to non-union companies.

To get a non-construction employer declaration under the current law, employers must show that (1) any construction work they do is incidental to their main business, and (2) they have no employees on the application date whose bargaining rights would be affected. Some non-construction employers can't access the remedy because they have some permanent construction employees, plus complicated litigation has arisen over the meaning of the term "incidental" in the current legislation.

The proposed change under Bill 139 would have employers being entitled to a declaration if they do not perform construction work for which they expect compensation from an unrelated party. Employers may still choose not to apply for the remedy, and there will also be the removal of the no-employee requirement.

Currently employers whose primary business is not construction may be bound by the construction industry provisions of the Labour Relations Act, including province-wide bargaining in the ICI sector, the industrial-commercial-institutional sector. TD Bank and the Second Cup are examples of companies that have become bound by provincial construction agreements. For example, if the Second Cup decides to open a new location or decides to renovate an existing location and tenders out a contract to a general contractor to build the Second Cup or to renovate the Second Cup, why should the Second Cup be certified as an employer in the construction industry when everybody knows their main business is involved in hospitality and in dealing with the serving of coffee and whatever? It's not construction. It's far removed from construction, but obviously they need construction work done on their premises for them to operate in the best way they see fit.

1930

These employers have very little ability to influence negotiations that result in an ICI agreement. To understand that, province-wide bargaining, you have an employers' bargaining association for all the employers in the province for that particular trade that have been either voluntarily recognizing that particular trade union or have been certified by that particular trade union. They negotiate with an employee bargaining agency for that particular trade and represent the locals throughout the province for that particular trade. They enter into province-wide bargaining; they negotiate on a province-wide basis. They have different sets of terms and conditions for each local—or geographical area, to be more exact—throughout the province.

So if you have a Second Cup in Barrie that decides to renovate their operation, does it make sense that they would be bound by a province-wide agreement for the construction industry where the project is going to be completed in very short order? They don't employ construction workers. They're in the retail coffee business and they're probably not going to employ any other construction workers again if they decided to go direct. Normally what they would do is hire or tender to a general contractor, yet they are permanently required to

subcontract all work in Ontario to unionized contractors, often as a result of hiring a small number of employees to perform renovations.

That's a situation where they haven't gone out and hired a general contractor to do all the work and hire the trades. What they've done is they've done the work; they've hired a couple of tradesmen directly to do the work. They're still not in the construction industry. They're in the retail coffee business, if we're using the example of the Second Cup. So why should they, if they use a couple of construction workers for a short-term project, all of a sudden be party to a province-wide collective agreement dealing with that specific trade, be it labourers, be it craftsmen in carpentry or whatever?

Some publicly funded entities like municipalities, school boards and housing authorities are also often bound to province-wide construction collective agreements that require them to contract only with unionized subcontractors. Once you get into a province-wide agreement, you're not only bound if you directly hire tradesmen to do the work for yourself on that project, but if you decide that you want to subcontract that work of that specific trade that you are bound by through that province-wide agreement, you have to use a unionized sub, because you're bound to that provincial agreement.

Some construction bargaining rights in the broader public sector were extended due to amalgamations. After the megacity amalgamation, for example, school boards in areas like East York became bound to collective agreements that prohibited subcontracting with non-union companies. It's a matter of balance and it's a matter of common sense when you're dealing with this particular issue. Certainly I think what you have to look at is that this company that you're trying to certify under the construction sector labour relations provisions of the act—because there is a very specific section under the Labour Relations Act that just deals with the construction industry. So if you have an employer like the Second Cup, whose business is in retail coffee, renovating their operation and they hire a couple of construction workers, are they in the construction industry? I would say not. They obviously needed some construction work done on either a new Second Cup or renovating that Second Cup. For them to be bound and now become viewed as a construction company makes no sense.

The proposal dealing with prior labour relations decisions makes a lot of common sense to bring some light into what is really the intent of the construction industry, which is to deal with construction companies that are paid for their work because of the construction work they do.

Another area that I want to deal with is the decertification and displacement provisions. Under the current Labour Relations Act, 1995, if a collective agreement term is for three years or less, a union can apply to displace another union or an employee can apply for decertification beginning two months prior to the end of the term. The bill would change this to three months. The key thing here is that another union is going to raid the

existing union for that employer either during 60 days or 90 days, so that could be a decertification by another union, or an employee who represents a group of employees wants to decertify to get out of that particular union. It may mean that they don't want a union, but it may also mean they want another union because they find the union they have is non-responsive, or they may want to set up their own union or an employee association, because they do want the protection of some union rights, but they don't want to be represented by that particular union.

All we're saying here is the process that's already established is extended from 60 days to 90 days. That allows for greater decision-making, greater time to make that decision and obviously an opportunity for the union that's going to be decertified to deal with the situation ahead of time so that they're not detrimentally affected. If they're going to be decertified by another union or a group of employees want to get them out, it's going to happen one way or the other, whether it's 60 days or 90 days.

Under the current Labour Relations Act, if the agreement term is for more than three years or continues in operation for more than three years, a union can apply to displace another union or an employee can apply to decertify during the last two months of the third year and each subsequent year or after the commencement of the last two months of the term. The bill would change this again, the procedural requirement, to three months.

The big issue the unions take with this decertification information, they're against information being disseminated to employees about how to decertify. The unions, on their side—to deal with the balance of the equation—certainly know how to certify a workplace. You have the employer who has limited rights under the Labour Relations Act when they're dealing with a certification drive, but you also have the employees, who need to know their rights during an organizing drive and which information is provided currently by the Ministry of Labour in terms of your rights under the Labour Relations Act. This is just supplemental information in terms of knowing your rights under the Labour Relations Act, and it has always been there, being able to decertify a union either through a union or through an employee. If the substantive rights have always been there, why shouldn't you be entitled to know how those rights are activated?

So currently the Labour Relations Act does not require the provision of decertification information by the Ministry of Labour. The bill would require the ministry to prepare and publish a document outlining the decertification procedures within one year of royal assent. Currently the ministry publishes a document that deals with what are your rights under the Labour Relations Act, for unions, for employers and for the worker, so they all understand their rights under the act. The provision of this information on decertification by the employer would not constitute a violation of the act. It's just common sense.

Now, decertification and first-contract arbitration: currently the Labour Relations Act provides that where a first-contract arbitration application and a decertification application are filed with the board, the board shall consider the applications in the order it considers appropriate, and the board's practice is to consider the applications in the order in which they are filed.

The bill would require the board to deal with the decertification application before considering an application for first-contract arbitration. If the board orders a vote, the vote would be held and the board would dispose of the application. If the vote is against the union, the first-contract arbitration application would be dismissed. If the vote is in favour of the union, the board would proceed to consider the first-contract application.

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Ratification and strike votes: in first-contract situations, the bill would require that there be separate strike and ratification questions. Combined questions are not permitted. So you will clearly know whether you are going to strike. What ratification means is that the union bargaining committee has reached a tentative collective agreement with the employer's bargaining committee. Normally the process is that it's settled by a memorandum of understanding. Both parties agree that they're going to put the tentative collective agreement to their membership, be it a board of directors for the company or the union membership for the union. The ratification is, are you going to follow upon and agree with what your union committee has said is a fair deal? So there's going to be a vote on that and it's going to be a very clear question as to whether you want to ratify that agreement; in other words, you agree with the agreement that was negotiated by your committee. That, to me, makes common sense.

Following up on the theme of workplace democracy and a balance of employee rights, employer rights and union rights, for far too long employees have been at the short end of the spectrum in terms of knowing what exactly are their rights in a certification situation. After the union has been organized, what are their rights? And what are their rights, it naturally falls, if they decide they want to get rid of that union?

As we say, that process of decertification is not new; it's always been there. For example, you saw earlier this year that the CAW was very successful in raiding—that's what it was called by the Canadian Labour Congress; the technical term is decertification—the service employees' unions and many of their locals. That is allowed under the Labour Relations Act, for another union to displace. All we're saying is that you can do it not just in the 60 days before the end of the collective agreement, if the agreement is three years or less, but that will be extended to 90 days. It's just a matter of procedure, what we're dealing with here.

The fact that we're allowing workers to know what the process is for that to happen, decertification, the trade union movement takes great exception to. I only can say that it's difficult enough for a layperson when they want

to get legal advice from somebody about an area they don't understand. The avenues that they can go to, to the law society, to a lawyer referral service or to just phone up the Labour Relations Board—after all, for the Labour Relations Board, or the Ministry of Labour to be more exact, which is there for the public, not to be able to provide information about the substantial rights that can affect their livelihood in the workplace really is offensive to workplace democracy. So I think it naturally follows for the Ministry of Labour to be fair to everyone, because it's there also to provide a service to unions, to the employers and to the workers, so that the workers at least know what their rights are when they're dealing with a fundamental situation such as whether they're going to be unionized or not.

The Acting Speaker: Comments or questions?

Mr Rick Bartolucci (Sudbury): After listening intently for an hour to the member for Etobicoke Centre and the member for Barrie-Simcoe-Bradford, the one thing they haven't convinced me of is that there is balance in this legislation. Dalton McGuinty and the Liberals believe that balance is essential in labour negotiations and in the labour movement, and when you don't have balance, you don't have a win-win situation. Clearly here, on the premise of enhancing workers' rights, the Ministry of Labour, the government, is making it very easy to decertify unions and, by extension, giving employers the opportunity to pay employees much less and to take away rights which were long and hard fought for over the many years of negotiations between management and unions.

I would suggest to you that you can't look at Bill 139 in isolation, because really it's been an onslaught of labour legislation that has created the imbalance that we have presently in the province. I fear that the advice that Pat Dillon, the business manager for the Provincial Building and Construction Trades Council of Ontario, is giving the government may come true when he said, "I fear that these continued attacks on unions and working people will lead to instability in the workplace and will eventually wreak havoc on Ontario's booming economy." That really concerns me, Speaker, because this booming economy has not found its way to northern Ontario, to your area of Sault Ste Marie or to my area of Sudbury. Do you know what? If there's havoc in the labour area, that can only be detrimental to our area of northern Ontario. The government should rethink this legislation and listen to what unions are telling them: balance is important.

Mr Christopherson: I want to comment on the remarks of both members, but I want to start with Mr Tascona, because it was interesting—

Mr Tascona: Don't name me.

Mr Christopherson: You know what it is? I put a note that had your riding on it and I didn't have it in front of me and I forget it. It's Simcoe something—Bradford?

Mr Tascona: Barrie.

Mr Christopherson: Barrie-Simcoe-Bradford. Sorry; that's why. I didn't want to do that.

Anyway, it was interesting when you read the article, and that's fair game, that is in the *Spectator* from Mr Canning: very fair, except that those of us who knew the article—and I was in the lounge and I caught it. I saw you pause and I waited for you to finish it, and you didn't. You didn't finish the article, and I'm a little disappointed because as a lawyer, people rely on you to do your homework and you didn't do it. You hadn't read that, because if you had, you would have stopped, and that's fair game, and what you left out was—and this was Mr Canning—"On almost every occasion, I have been willing and vociferous in my criticism of those changes." Further to that, you mumbled something about what this said that wasn't there. So you ought to be very careful about how you present things that someone else has written.

Let me also just talk about this waiting for a year before you can apply again for certification. First of all, there are a number of labour lawyers—and by that I mean real ones, real labour lawyers—who say there may be grounds, and it's being looked into, for a constitutional challenge: denying the right of association. But secondly, it sets us up for a sham process, which I hope to expand on later this evening.

Mr John O'Toole (Durham): It's a real pleasure to comment on the member for Barrie-Simcoe-Bradford, and of course the Minister of Labour spoke earlier tonight on Bill 139, An Act to amend the Labour Relations Act, 1995.

I think the member for Hamilton East is probably going to give us many of the same stories that he has for the last five or six years. The Minister of Labour said it best today when he said that really it's about creating jobs and creating some balance while at the same time respecting democracy in the workplace. I know, on a number of fronts, dealing with workplace democracy, and as we talked about it earlier today, the construction trades issue on Bill 69 and the employment standards, all of these changes that are before us are to make sure that everyone has the opportunity to work. That's really what it's about.

1950

I think there are two or three things under this current bill that we're talking about, Bill 139, that are worth the remaining half a moment that I have here. It's strengthening the certification/decertification process. I think that's very important. The democratization of the workplace is really what the minister spent considerable time on today. It's not to suggest that the current system isn't democratic. I believe it's quite the opposite; I think that the workplace itself has changed.

In many areas in the workplace economics, we know that there are shortages of workers, shortages of skilled workers. When it comes to some of the technical changes in the bill—specifically with respect to the decertification and the votes for certification process—I think they're long overdue, personally. Employees are basically intelligent people, not somebody who has to be led around by the nose by some all-knowing government or other

agency to do the right thing. I think democracy in the workplace is the right thing, and I'm interested in hearing on the other side if they're opposed to democracy in the workplace.

Mr John Gerretsen (Kingston and the Islands): I can't help but think of the fact that we've had sessions in here where the government's main aim has been to beat up on the teachers and the teaching federations in this province. Today seems to be "let's beat up on the union" day. We had a session this afternoon when we talked about Bill 69, and I'm sure there are some people watching tonight who probably think they're seeing a repeat of this afternoon, as if they're watching the same thing or maybe they missed something this afternoon, because we're beating up on unions or the government is once again beating up on unions.

For the life of me, I cannot understand why that is being done. Right now we have a booming economy in the province of Ontario. There don't seem to be any labour disputes that I'm aware of, of any great magnitude, in this province.

Why is this government trying to upset a system that works extremely well? You know, the government does it in what I regard as a very sinister way. It talks about employee rights, as if unions weren't originally set up to protect the employees in different workplaces, so it can sanctimoniously talk about, "Well we're here to protect the rights of the employees."

We all know that the union movement over the last 50, 60, 70, maybe 100 years in this province has been there in order to improve the livelihoods and the conditions of the employees who are members of various unions in this province. To make it sound as if employees get more rights by in effect taking away rights from the unions does not make any common sense.

The Acting Speaker: Response? Being as they are not here, further debate?

Mr Agostino: I appreciate the opportunity, on behalf of my caucus, to take some of our lead. I'll be sharing that with three other members, and I know I can tell you that in days to come, many of my colleagues will be on their feet speaking to this important piece of legislation.

It's unfortunate that the Minister of Labour, who was here and lectured the opposition for an hour and 40 minutes about democracy and spent half his time attacking myself and the NDP critic, Mr Christopherson, now is not here. I assume the limo was running and ready to go as he ran out of here when he finished his comments. I'm sure we'll make sure he gets the Hansard to understand clearly some of our reasons, so he's better informed when he gets up in the House and attacks the opposition critics for not giving rationale and reason why we're opposed to this piece of legislation.

Clearly, Bill 139 is the latest of a string of attacks over the last five years on labour and working men and women across this province. Frankly, nothing this government does to attack labour surprises me any more. We've seen it right from the beginning. Every single piece of progressive labour legislation that has been

brought in over the last 40 or 50 years they're simply, a bit at a time, trying to get rid of. We're not simply talking about legislation brought in by the NDP government or the Peterson government before that. We're talking about legislation that goes back to Bill Davis and Robarts, clearly governments that were progressive in their nature, not Reform or Alliance or whatever they're called today, as this government and this party in Ontario are today. They're not only slowly stripping away what the other two parties have brought in, but they're stripping away legislation that Bill Davis proudly brought in, that Premier Robarts proudly brought in, and they should be ashamed of themselves for taking that approach to labour relations across this province.

When you look at this bill, as usual they get cute with the name and they get cute with the words. This bill is based on the premise of "enhancing workers' rights." That's the minister's code for this: "enhancing workers' rights." I can tell you, there's nothing in this legislation that enhances the rights of workers, but there's everything in this legislation that enhances the rights of their corporate friends, the friends of this government who donate millions and millions of dollars a year to support this government. This is another one on a continuing wish list for this government, for big business, by the Harris government. It is clear, with every piece of labour legislation that comes in, that the Bay Street boys, their corporate friends, win the day again.

One can't help but clearly believe that whenever they come calling and knocking on the door of the Premier of Ontario—because we know who calls the shots. We know that the minister is simply a front for Premier Harris on this. We know the minister doesn't call the shots here. We understand that. Clearly, Mike Harris sends a memo to Chris Stockwell that says, "Go ahead, Minister. Here are your lines. Here's what I want you to do," and the minister, because once he was given the keys to the limo, he was no longer the independent thinker he used to be, follows line, hook and sinker what the Premier of Ontario wants. I understand that.

I understand that the minister is putting on a good act. He's trying hard to make sure he keeps the Premier happy. The reality is that every time one of his corporate friends knocks on the door or has dinner at the Albany Club with Premier Harris and makes another proposal, Premier Harris says, "Yes, sir. Yes, we will change that. We'll change labour legislation again to help you because those bad workers who want to earn a decent wage and go home safely at the end of the night are evil. Our job's not to protect them. Our job is to make sure that our big, powerful corporate friends continue to make even more money at the expense of working men and women across this province."

That's what drives this agenda. It's not fairness. It is simply a wish list that this government continues to give to their corporate friends. This is not about workplace democracy. This bill is about attacking the labour movement. I've received a great deal of correspondence on this, and it's right across the board. One thing that's

interesting is when we talk about who asked for this legislation. The minister himself, in the scrum when the bill was brought in, said, "Clearly, business," that clearly business had asked for these changes to be made. This was not something labour looked for. He admitted that Bill 139 was the request of employers.

I find it ironic that someone I know and respect in Hamilton fundamentally disagrees with me: Shawn Chamberlin, the president of the Hamilton and District Chamber of Commerce. Again, when you talk about balance between business and labour, let me tell you what Mr Chamberlin said: "This is pretty much everything we asked for. It's true, there's nothing in here for labour." That's a great shock, but I'm glad that Mr Chamberlin at least was honest enough, unlike this government, to admit the reality of what this bill's all about. It's pretty clear.

2000

I have received correspondence from the Labourers' International Union of North America. Mr Joseph Mancinelli has written an eloquent letter. I have a few minutes and I'm going to take time to read part of this. Mr Mancinelli is the international vice-president and regional manager of central and eastern Canada. I consider Mr Mancinelli to be one of the most progressive, articulate labour leaders in this country. A community-minded individual in the labourers' union of North America, local 837, he's a leader across Canada, not only as a labour leader but also in what he's done for the community, for our great city of Hamilton and many other communities. Mr Mancinelli is a Harvard graduate, truly someone who knows what he's talking about when it comes to labour legislation and truly someone the government should listen to. I'm going to take a few minutes to read part of what he says here. He says:

"LIUNA is a progressive, business-minded union that has been working diligently on great relations with our industry partners, our contractors, since 1903. Our union with over 800,000 members has survived world wars, economic depressions and recessions. In spite of all the hardships throughout our evolution, we have successfully elevated the stature of working men and women to a dignified position in our society.

"Labour legislation in Ontario was created for the benefit of those workers who are the foundation of Ontario's economy and future. Bill Davis's Progressive Conservative government introduced labour legislation for workers, not unions, in order to create a stable industrial relations environment in Ontario. In fact, LIUNA's record speaks for itself: excellent relations with our contractors, and unparalleled community involvement and leadership.

"Therefore, I ask myself why would your government introduce draconian, anti-labour, anti-worker legislation when Ontario is experiencing a highly buoyant construction industry in desperate need of skilled trained workers and a stable environment to bring all construction projects to fruition.

"I would think that legislation that supposedly embraces democratic principles would not be one-sided and unfair. If in fact you succeed in posting decertification guidelines in every unionized worksite, then why not post certification guidelines on every non-unionized worksite?

"Unions are as different from one another as competitive corporations are. Your proposed legislation would prohibit LIUNA from attempting to certify a company for a year, because another union has unsuccessfully attempted to certify that company.

"Furthermore, your proposed legislation prohibits construction certification of school boards, municipalities and the banking sector. The banks in Canada have experienced record profits, increased their service fees to their clients and have shut down numerous branches throughout Ontario under the guise of efficiency. What democratic and fair reasoning could there be behind also excluding banks from construction certification?

"Minister Stockwell, I urge you to consider your position on this bill that is fraught with undemocratic injustices.

"Legislation should be introduced to fairly address the entire construction industry's concerns, not only the concerns of a mere handful of general contractors whose short-sighted, myopic lack of reasoning will hurt our industry at a time where reason, fairness and co-operation are most needed."

Signed "Joseph Mancinelli, International Vice-President and Regional Manager, Central and Eastern Canada," and sent to the Honourable Chris Stockwell.

Mr Mancinelli, on behalf of the hundreds of thousands of men and women he represents across North America in his position, has clearly stated why this is a bad piece of legislation. For a few minutes, I'm going to try, with a lot less articulate description, to talk about some parts of this bill and why we see them as clearly an attack on working men and women and not something that is there to in any way help working men and women.

If you look at some of the would-be—and it's been mentioned. If the labour minister requires information on how the union can be decertified, it would have to be required in every workplace that is unionized. If you are going to do that, if you are going to be fair—it's been mentioned before, as was mentioned in the letter—will this government today commit to post and ensure that information is available in every single non-unionized worksite across this province on how to certify a union? That's fair. If you're going to post notices in unionized workplaces on how to decertify, then why not give non-unionized workers information on how to certify and become part of a union? That is fair, that is balanced. You're not interested in that because your business friends don't want that.

Then we have the cooling-off period for a year after a bid for certification fails. First of all, workers have a choice. Let's just talk about democratic choice. Workers turn down one particular union because they don't feel it represents their view. You are saying, "For a year, you have no choice. You cannot have anyone else come in

and try to organize you." Imagine what would happen in that year, as we've seen already across Ontario—the harassment, the bullying, the intimidation, the firing of workers, men and women who may be bold enough and brave enough to attempt to once again certify a union, a worksite.

Under the legislation you brought in when you got rid of Bill 7 and other legislation, you've basically given the employer full rein to severely harass and go after workers who try to unionize, to organize union drives in the workplace. And now you're going to give a one-year cooling period so they can be beaten up, harassed, intimidated, threatened and fired. That's what this bill is all about: giving the opportunity for intimidation against workers who want to bring a union into their workplace once that bid has failed. That is not democracy, that is not balance. That is, again, taking the side of your large corporate friends who basically have asked for this and who you've basically caved in to because you want their donations and their support, and you're selling out working men and women across Ontario to get it.

We have another provision: the new act would require separate votes for ratification of strike action in first-contract situations, and you tie that with the fact that if there isn't a first contract in a year there could be decertification. Think about it. Right now a strike is the only real clout, the only real stick a union has against an employer in trying to come to an agreement on a first contract. By allowing a vote on ratification and on strike action, you're giving the balance—the employer often has most of the power. What you're saying now is that you're going to take away what little clout a union has in a first-contract situation. We only have a separate vote, so we'll vote for ratification. That gets turned down and then what happens? You go back again and negotiate for another month and then have another vote and so on. We drag this out for a year and that's the end of certification of a union in that particular workplace.

What you see here, again clearly, as the minister talks about fairness and balance, is that there's no fairness and no balance. Every single item I've gone through on this bill so far is clearly tilted to big business, to their business friends, and the minister basically admitted, as I said earlier, that, yes, this wish list was what business wanted and they'd been approached, and every single piece of this bill points to that.

One section of the bill gives municipalities, school boards and banks the ability to tender their construction projects to non-unionized companies. The minister makes this sound like this is fair. This is one of the most disturbing and damaging parts of this bill for many reasons. First of all, the minister says, "We need to protect taxpayers' dollars." His argument was that if it's the taxpayers' dollars why shouldn't we simply open it up completely and get the best deal? I'm trying to understand, and maybe someone on that side of the House some time this evening can stand up and explain to me why municipalities, school boards and banks—I'm just not sure which taxpayers' dollars the banks are

talking about here. I'm not sure why the banks, when they're bringing in billion-dollar-a-year profits, need the protection of this government to tender contracts. I'm just wondering where the savings for the taxpayers are as you're protecting the banks.

Is the interest here to protect taxpayers' dollars or is it to protect the \$25,000 tables that you charge the bankers at your fundraisers? Is that what the interest here is? I'm curious for someone on that side of the House to explain to me why banks have been locked in this category. Maybe it's because they're hurting. Maybe it's because they've lowered user fees so much that they don't make any money any more. Come on, we know that. Banks don't rip off consumers, of course not. User fees are fees, of course they are. Banks don't make enough profits. They need the help of Mike Harris and the Reform-Alliance party here in Ontario to make more money so they can buy more tables at their fundraisers. That's what this is all about. The argument of taxpayers' dollars to the banks is a joke. It is absolutely embarrassing that you even include this in this piece of legislation. The big banks need your help to make more money, for sure.

Then when you talk about school boards, municipalities and other government agencies, you say, "Why shouldn't they be able to compete? Why shouldn't they have a choice, non-unionized and unionized?" Well, I guess the principle of unionized labourers, construction workers and trades workers is that unions have gone out, negotiated fair wages, fair packages, health and safety provisions and benefits for their workers. It should generally be the standard in a society, in a booming economy, that we'd raise the standard of people, that we'd rise to the highest denominator, that we'd raise wages of working men and women when the economy is booming, and that's what unions negotiate.

So now you're saying, "That's not good enough for Mike Harris's Ontario. We want to lower those standards, we want to bring it to the lowest common denominator. Why should we pay a bricklayer \$24 an hour when we can get away with \$8 an hour, when we can really drive those wages into the ground? To hell with the risk the bricklayer takes on his job, to hell with the fact that every single day injuries in the construction industry maim and kill people across this province." That doesn't really matter because we can get away, under your provisions, with bringing in literally what will become the equivalent of sweatshops in the construction industry that, again, instead of driving to the highest denominator where we can all benefit and where Ontarians can all grow and help the economy and the province get better, you're certainly doing the opposite.

2010

We're not just talking about wages here. Wages can be addressed. If you're really serious, if this government is serious about saying they want non-unionized contractors to be able to compete with unionized contractors, then I issue a challenge. Bring this piece of legislation in, but also bring in a fair wage policy, as we did in the city of Hamilton, where we said—and I was proud to be part of

that council, and my colleague from Hamilton West was part of that council at that time—fine, non-unionized contractors can come in, but they're going to have to pay fair wages in our community. That means you can't simply undercut a company by paying your workers half of what another company does and basically bring in sweatshop rates for very difficult, dangerous skilled work.

If you're serious, bring that in. If your commitment is truly to allow non-unionized companies to compete with unionized companies, then bring in a fair wage policy to match that commitment. Then there would be some sincerity behind that. If you're serious about it, do that. I challenge you to do that. I'll give you credit for it if you're serious.

But you're not serious about that. That is not your interest here. Your interest is not fair wages for working men and women. Your interest is simply fairness for your corporate friends, the lowest wages. Not only wages, but I'm also concerned about the issue of safety. I'm going to get back to this; I spoke about it today and I promise I'm going to speak about this issue every time we talk about labour legislation. I'm going to continue bringing these examples up—the issue of safety on the job and particularly when you're talking, as I am here, about the area of construction, labour and the heavy industries. As I said earlier today, 20 deaths last year in the construction industry in Ontario. Twenty men left home in the morning and didn't come home to their families that night. Eighteen of those 20 were working in non-unionized construction sites. Is that a coincidence? Is that a fluke, simply a blip on the radar screen? I don't think so. There is a 250% greater chance of someone getting hurt on a construction site that is non-unionized than on a unionized construction site.

I know we don't raise personal experiences in this House, but I'm going to raise this one, because I feel strongly about it and I feel that this is one of the most dangerous parts of the legislation. From personal experience in my own family, I can tell you about the devastating effects of construction injuries and the impact they had on my father and my family as a result of being in a site that was not properly protected, a non-unionized construction site, an unsafe workplace. At the age of 35, my father, who had worked as a bricklayer in construction since the day he started work at the age of 15 in Italy, was working on a non-unionized construction site in Dunville, working 14 to 16 hours a day to look after his family of three young kids and his wife. He fell through 40 feet of stair shaft because the employer couldn't be bothered to spend a couple of dollars to put a wooden railing around that stair shaft. Because my father did not have the protection of a union and the ability to refuse that workplace, he spent the next 30 years of his life, to the day he died, confined to a wheelchair. That accident contributed to his premature death as well.

It is important, it is critical for working men and women across Ontario not to have to experience what my family and what hundreds and thousands of other

families have experienced across Ontario when it comes to workplace health and safety. There is nothing more important that we can do here than protect the well-being and health and safety of those men and women who go to work in the morning to look after their families. I can tell you that with any piece of legislation that takes anything away from that, we're going to fight like hell, tooth and nail, across this province to oppose and to expose what you're all about.

Explain to me why it's a good idea to have unsafe workplaces. Explain to me why 18 out of 20 deaths last year in the construction industry were on non-unionized sites. Explain to me why it's good to allow non-unionized, unsafe companies to compete for jobs in this province. Tell me why it's a damn good idea, because it isn't.

This government goes off trying to please its big business friends. Understand the real world of what you're doing here. Understand the impact you're having on men and women across this province. Not only are you attempting to drive down wages and to drive down standards, but you're adding to the risk of workplace injury.

Government-labour relations are all about balance, and that's what we should be achieving here. We're in an area, we're at a time, when there's relative labour stability across Ontario. Yes, there are strikes, and despite all the efforts you've made to bash and break unions across this province, the leadership and the working men and women who are under that leadership have adapted and changed and tried to make the best of a difficult situation. But you're going too far and you're going too hard and you're going to break what has already been bent across this province when it comes to your attacks on working men and women.

We have to bring back some sanity and restore some balance to our labour relations in Ontario and I don't see anything in here that does any of that. What is even more disturbing is that I don't see the need. When the minister was asked about some of the provisions, was asked at the press conference to give examples of decertification, one of the acts of this bill, he said one of the reasons was that employees were being certified even where the majority of workers had opposed it. The reporter said to the minister, "Give me an example. Is this a problem? Where has this occurred across Ontario?" and after a couple of minutes of not having a response, the reporter said, "The Wal-Mart situation?" "Yeah, that's right," But then they forgot to say, "You brought in a bill to deal with that already."

So where's the need? Show me the examples of what pressing situations have occurred across this province. It's easy to talk in generalities and say, "Wow, democracy and certification and stability." Give me examples of where in the workplace across this province we have the problems you're trying to fix today.

It's easy to say we've got these problems. I think that as a minister responsible for labour relations, for labour in this province, as a government, as a cabinet, as

backbenchers, you have a responsibility to tell us where you think those problems are. You have a responsibility to tell the people of Ontario why you're bringing in some of this legislation.

Is it really to protect working men and women? Is it really to help working men and women? Think about it in your heart of hearts. I know that you have to do the line, that you have to read the briefing notes you've been given, but when you're thinking about it by yourself, explain to me, outside of the political neo-conservative ideology that's behind this bill, why it is necessary today. Explain to me where the balance is here. Explain to me why you need to once again attack the labour movement.

There isn't any reasonable explanation. The minister had no reasonable explanation for this, but you continue to incite. Is it maybe that you need a diversion? Is it maybe that you're looking for another enemy to attack? Is it maybe that you need to find other targets because you're having too many problems on the home front here?

Is it because you want people to stop talking about Walkerton across this province? Is that why you bring this in now? Is it because you want people to stop talking about overcrowded emergency rooms and ambulances being re-routed across this province? Is that why you want this bill now, so that we can have a confrontation, a showdown, a shootout with labour that dominates the news, that dominates this Legislature, that dominates the coffee shop talk and the hockey arena talk and the soccer field talk across this province? Is that what you're doing this for? Is it a diversion tactic? Are you willing, for political expediency and cheap political gain, to risk all that across this province right now?

2020

Is it because you're afraid to talk about the environment that you figure, "Let's start talking about something else. Let's get people talking about those nasty unions that have threatened to go to war, that have threatened production shutdowns, that have threatened to take this government on"?

I know you're cocky and you're arrogant. Minister, I'm sorry. As to the tone of that address today, I wish every Ontarian could see a few minutes of that because they really would understand how power has changed this government and this cabinet. You're not listening to people any more. You've lost touch with people. I'll give you credit. In 1995, as much as I disagreed with your agenda, you were in tune with what people in Ontario were thinking. That has changed dramatically in five years. You have lost touch with real Ontarians. You have lost touch with working men and women. You're so driven by this blind ambition and power and greed that you don't see the damage you're causing to Ontario by what you're doing. This piece of legislation is another classic example of that.

I urge you to take a step back. Don't look for a fight with labour. I understand that you have the majority on that side of the House. It doesn't matter what piece of legislation you bring in, you are going to win. You're

going to pass the bill because you have a majority government. All we can do in opposition is vote against it and point out the weaknesses and hope that Ontarians will understand and see clearly, beyond the smokescreen you're producing out there, what the real agenda is here.

In doing that, you're damaging our system, you're damaging our province, you're damaging the foundation of Ontario. In this case, for years to come you're going to damage labour relations. Why do you want companies to turn against workers? Why do you want unions to turn against corporations? Why are you trying to cause that fight where one doesn't exist today? Why do you want to go to war with labour? Why do you want demonstrations out here? Why do you want to shut down construction sites? Why do you want production slowdowns when the economy is booming and people are working? Why are you risking all that?

I ask this government to take a hard look at what they're doing, to take a hard look at the risks they are taking, to take a hard look at the damage they're doing to labour relations in Ontario. Forget the corporations, forget your corporate friends, forget your political ideology. Please, I urge you, I beg you, to think of the impact this is going to have on real working men and women across this province. Do the right thing and withdraw this bill.

Ms Caroline Di Cocco (Sarnia-Lambton): I'm pleased to speak on this bill and I support the member from Hamilton East in his argument because he made some very valid points that I'm hoping the members on the other side of the House will consider.

When I speak to this bill, I'm not quite certain what Minister Stockwell means by "workplace democracy." If you take a look at that terminology, it is an incredibly misleading title. What exactly does he mean?

Workplace democracy: I took the words and I thought to myself, does it mean workers on the site are going to be able to vote on the jobs they want to do and then they can tell their employers, "Look, we've had a democratic decision. We voted and we are going to do the jobs we think we should be doing"? Or does it mean employees vote on how much they make and then employers will abide by this democratic decision? I don't think so.

It really concerns me when I see words used and misused in this House to mislead the intent of a bill. Workplace democracy—

The Deputy Speaker (Mr Michael A. Brown): Order. I think you could find a better word than "mislead." I'd appreciate it if you'd withdraw it.

Ms Di Cocco: I withdraw. Workplace democracy in the context of Bill 139 is yet another example of the way the Harris government misrepresents the real intent, which is to break unions.

Organized labour has played an important role in developing workplace safety standards, in developing skilled workers in the various trades. Organized labour has been the advocate to provide fair wages for workers in this province. Many workers have achieved workplace safety standards, decent wages and enhanced their skills

because of the collective voice that organized labour unions and professional associations provide.

The minister, if he would only know—he knows about, for instance, occupational disease. He knows that my riding of Sarnia-Lambton is a real hotbed of that problem. And the long battle to recognize the cause of occupational disease was not, and is not, driven by the workplace, but was driven by the unions and organized labour. As a matter of fact, this injustice or this health hazard is often denied by the employers. Again, that long battle to recognize the problem and the cause, remember, was driven by the unions.

The minister is suggesting and publicly justifying this bill on the premise of enhancing workers' rights. What he's actually doing is weakening workers' rights because, as my colleague the member for Hamilton East said, we certainly don't see a fair wage policy in any of these discussions. It's less likely that an individual can bring pressure on employers if treatment is unfair or safety issues are at stake. There is an energy, there is a strength in a collective voice, and that's what organized labour does.

Bill 139 is yet another erosion of the inroads made over the years by the labour movement. It is the reality that the neo-conservative agenda is clear. It is about attacking working people and listening, oftentimes and foremost, to the special interest groups of big business who support this erosion.

I'd like to put on the record as well some of the past record of the Harris Conservative government. These bills have oftentimes stripped workers of basic protection, as this bill does. Bill 7, the NDP labour legislation, was repealed, and it allowed use of replacement workers. Then there was Bill 49, which changed the Employment Standards Act.

Mr Christopherson: Your party ran on that.

Ms Di Cocco: I wasn't there. It eroded minimum provisions for overtime pay, hours of work and many other working conditions for non-union employees.

Interjection.

Ms Di Cocco: This is the track record. That's all I'm saying: it's the track record.

Bill 99 changed the Workers' Compensation Board and cut benefits to injured workers. Bill 136, the public sector unions legislation, stripped bargaining rights for health care sector workers. Bill 31, the construction trades and Wal-Mart bill, eliminated protection for construction unions and made it more difficult to certify new unions. Bill 55: changes to apprenticeships lowered standards for new apprentices, set new tuition fees and lowered apprenticeship wages. And we just passed Bill 69.

I believe these changes to the Ministry of Labour have oftentimes jeopardized worker health and safety and I speak against this bill because I understand that the Harris government does not speak with the spirit of balance or fairness when it comes to the position of workers in this province. This is what I've heard from some of the businesses in my riding. Medium-sized

contractors have told me that they prefer unionized workers because they're trained to do the job. It's more cost-effective to have a person working for you at a higher cost if they know how to do the job right. Oftentimes, in Sarnia-Lambton the construction industry prides itself on the highly skilled workforce that exists there, and it exists there in part because of our organized labour. Again, doing a job safely and right is more important to the good employers I spoke to than paying less for labour at minimum wage or at a very low wage.

These are some of the general labour concerns, and it's fair to say that unions in my riding are unhappy with this legislation. Their view is that the bill does not reflect any balance; instead it's one-sided and unfair. Most union officials are quick to point out that although in this bill employers can post information regarding how to decertify unions in a unionized workplace, why not allow the information to be posted on how to certify non-unionized workers in the workplace? It's only one-sided.

2030

Minister Stockwell himself admitted that all changes to be found in Bill 139 were at the request of the employers. This bill is to be about workers' rights, and yet no suggestions from the workers were taken. Why is this government jeopardizing workplace stability in the labour force? That's exactly what this bill is threatening to do. A successful leader in Sarnia-Lambton stated that prosperity in any community is built on two pillars: the pillar of labour and the pillar of business. You don't pit labour against business, or business against labour, and that's exactly the style the Harris government has. So why is the Harris government introducing this anti-labour, anti-worker legislation when Ontario is experiencing a skilled worker shortage?

What this government should be doing, if it had any provincial vision or progressive ideas, is to work with unions and other organizations and professional associations to encourage the training and recruiting of young people into the skilled trades. Instead, what's it doing? It's introducing anti-labour legislation. We're going to have more confrontation.

What has been apparent to me since I was elected to this Legislature in June 1999 is that the Harris neo-Conservative/Canadian Alliance has no direction for this province. What they are good at is to cut, confront, fight, create crises and consistently use a heavy-handed tactic on anyone who has a different point of view.

The other concern for the building and construction trades is that of safety. A non-union construction sector has a higher accident rate. We've heard this over and over again. It has a higher accident rate: 250% more than the unionized sector. The construction trades were not consulted at all in the development of this bill. It's their members who have been heavily impacted by this labour legislation. The irony is that this bill is supposed to be about workplace democracy, yet this bill came about without consulting both sides.

The minister makes a compelling argument for his bill, but I would like to give a slightly different perspec-

tive, because in my constituency of Sarnia-Lambton, as in many other jurisdictions, unions and industry have had a working relationship and at times it is healthy and at times it is tenuous. I found a quote by John Kenneth Galbraith in *The Good Society*, and I used it before. It speaks about how the comfortable will be afflicted in a useful way—and that's what unions do. They afflict in a useful way because they're advocating for individuals, they're advocating for workers. That's the nature and that's the different jurisdiction that represents union and business.

The provincial Liberals believe in the need for business to be competitive, but our balance lies in ensuring that workers also deserve a good wage. Mike Harris's track record on the labour front unfortunately is all about confrontation. The actions of the Harris government have been to pit labour against management and to dictate ultimatums. That is just the track record and that's the tone of arrogance that has become the trademark for this government. Labour laws are like collective agreements: both sides should leave feeling as if a balanced agreement has been arrived at by all parties. I believe that this minister speaks not with this spirit, but his government has a terrible record on that matter.

The sense of balance produces a competitive workplace and good management relations. That's what it's all about. My father was a union member. We have run a family business for 25 years with unionized workers. My father was able to provide opportunities for us because he was in a union. He didn't have big business to look after him. He would have had no one to look after him. So there is a role that unions play in this province and have played on this continent. My family has been in unionized business, and we understand the other side of business. Business needs good workers and workers need business, but workers deserve good wages. They deserve fair wages and benefits and they're not just for corporate Ontario; they're for everyone and they're for workers as well. It's important to ensure a fair wage and how valuable it is for people to earn a fair wage.

John Galbraith said, "Nothing, it must be recognized, so comprehensively denies the liberties of an individual as a total absence of money. Or so impairs it as too little." He goes on to say, "Nothing so inspires socially useful effort as the prospect of pecuniary reward.... This too the good society must acknowledge."

This bill is not so much about achieving balance; it's about workers losing some of their basic rights, unless they agree to measures that will reduce their collective bargaining agreements, their bargaining rights. There is no balance in this bill. This bill is not about fairness. This bill is not about restoring workers' rights. This bill, as far as I am concerned, is a way to break unions. It's making it easy to decertify unions, and there is nothing in place—we don't have any kind of legislation here that suggests we have a fair wage policy where you are decertifying unions. My colleague from Hamilton East is absolutely right in that this government has lost touch, it is un-

balanced, and it will continue to erode the stability of the construction industry in this province by its tactics.

The Deputy Speaker: Further debate.

Mr Gerretsen: I'm very pleased to join this debate and to give you my own views on this bill. But just to reiterate something I said earlier, this seems to be sort of anti-union day. With Bill 69 this afternoon and now Bill 139, the language that the government has used in introducing all of this legislation is that it creates some sort of a balance of things and yet we have seen time after time in section after section that just the opposite is true.

It is kind of interesting that when the minister introduced this bill at his press conference, he openly admitted that everything that was in this bill was at the request of the employers. If it's at the request of the employers, how can you talk about this bill being good for the employees? It's an attack on the working people of this province, on the unions of this province that have done so much over the years to provide a good standard of living for a lot of the unionized people, that have also stood for providing and ensuring that places of work are safe for the workers. It's a well-known fact that here in Ontario the accident rate among non-unionized workers is 250% higher than that of unionized workers.

When we take it all into account, we can only come to one conclusion, and that is that this is yet another attack on the unionized people in this province. The member for Sarnia so aptly went through her litany of bills that have been passed since 1995 that have been anti-union legislation, just bill after bill. It started with Bill 7; it started with the raping and the taking out of all the money from the workers' compensation fund. You can just go on and on.

2040

Now we have this bill. There are some very interesting sections, and I just wanted to turn to some of them. The first one that I found kind of interesting deals with this whole notification process. I happen to be a person who thinks that it's a good thing that people know what their rights are and what their responsibilities are, whether it's under a piece of legislation or what they can expect at their workplace. Let me just read to you what this requires, in section 63.1, of the kind of document that an employer has to post in a workplace. It states:

"An employer with respect to whom a trade union has been certified as a bargaining agent for the employees of the employer in a bargaining unit or who has recognized a trade union as the exclusive bargaining agent for the employees of the employer in a bargaining unit shall use reasonable efforts,

"(a) to post and keep posted a copy of a document published under this section in a conspicuous place in every workplace of the employer at which employees represented by the trade union perform work;

"(b) to post and keep posted with that copy a notice that any employee represented by the trade union may request a copy of the document from the employer;

"(c) once in each calendar year, to provide a copy of the document to all employees of the employer who are represented by the trade union; and

"(d) upon the request of an employee ... who is represented by the trade union, to provide a copy of the document to him or her, even though the employer has previously provided ... a copy...."

What I find interesting about this is, why don't we do exactly the same thing the other way around? Basically what this is talking about is the method in which a union can be decertified in a workplace. Wouldn't it be just as fair, wouldn't it be totally balanced, if you also made it mandatory that employers post notices in a workplace as to how a union can be certified in that workplace? That's fair. That's balanced.

The other section I found interesting is the one that requires the notification or the posting once a year of all the employees who work for unions and make more than \$100,000 per year. It goes on to say on page 8 of the bill that:

"... any individual represented by a trade union may make a written request to the trade union to inform him or her of,

"(a) the names of all of the employees to whom or in respect of whom it paid a salary and benefits totalling \$100,000 or more in the previous year; and

"(b) the total amount of salary and benefits that it paid to or in respect of each of those employees."

I suppose the argument could be made that we made it mandatory for government employees and for other employees who work for quasi-government institutions or within the institutional sectors and why shouldn't we do this for unionized individuals as well? I don't have that much of a problem with that. But then there is an interesting subsection to that section which is not part of the legislation passed requiring the disclosure of what people make in the public sector in general. It says in subsection (6), "If the trade union did not pay a total of \$100,000 or more in salary and benefits to or in respect of any employee ... the trade union shall provide to the minister ... a written statement, certified by the trade union's highest-ranking officer, stating that fact."

What I find interesting about that is that on the one hand we're telling unions, "You've got to let the public know, you've got to let the minister know those of your employees who are making \$100,000 per year in salary and benefits," but we go one step further in this legislation. It also goes on to say, "Not only will you do that, but if somebody doesn't make \$100,000, then your highest union official will have to let the minister know, in any event, that nobody makes \$100,000."

That kind of legislation does not exist with the \$100,000 disclosure limit that is contained in the other legislation. For example, if a municipality doesn't pay anybody \$100,000, or a school board or an institution, a hospital, what have you, there's absolutely no requirement on those organizations to let the minister know—I guess the Minister of Finance in that case—that nobody is making that kind of money.

Why do we put this additional onus on unions? It's almost like telling unions, "We don't trust you." If you want to make the disclosure mandatory, make it mandatory, and leave it at that. If nobody makes the kind of money that you're talking about in this section, leave it alone. But unions, because of the non-trusting nature that this government has toward unions, have to go one step further: they have to have their top official certify to the government that nobody makes that kind of money, when we don't put any kind of restriction like that on anybody else in the province. That, to me, just isn't fair. It's one of those small items in a bill, I suppose, that somebody could say really doesn't matter all that much, but it's the intent behind it; it is the fact that it's even there that to me shows a total distrust of unions, and particularly of the union leadership.

There are a number of other interesting sections in the bill as well. The other one I found interesting—and of course the member for Hamilton East has already mentioned it—is that it now allows municipalities, school boards and other government agencies, and banks, the ability to tender their construction projects to non-unionized companies. For the life of me I cannot understand why you would put banks into a group of organizations that are basically, in one way or another, completely accountable to the taxpayers of this province. If you want to put that provision in, I could see it, I suppose, for municipalities. I wouldn't agree with it. I think that municipalities and school boards and hospitals and other institutions want to make sure that they've got a safe workplace and they surely have to pay the people who do the various contracts for them a living wage.

There seems to be the intent here that if a union gets a contract or if it's done through a unionized shop somehow it's going to cost more money. Maybe it is going to cost more money, but it's only because the employees who do the work in order to complete those contracts are getting a reasonable wage that has been fully negotiated between the employers and the unions that are involved in those contracts.

The point I'm simply trying to make is, why, for goodness' sake, are banks included in this designation? There is no public accountability for banks. They are not public institutions. Do they now need the protection of the government to allow non-unionized contracts, in effect, to be let out by banks? Are they in the same grouping of institutional or government or quasi-government organizations such as municipalities, hospitals and school boards? It is when you see the inclusion of organizations or companies that really don't fit the entire general category of accountable public organizations that you can very quickly come to the conclusion that this particular group of companies, the banks in this case, have been given special protection under this act.

I would like one of the government members—and there are a few in the House here tonight—to respond to me in a very simple statement, during the two minutes they will have after we're finished our presentation here this evening, why banks were included with these other

accountable public institutions. Just to be clear, we don't agree that this should apply to any of these institutions, but I simply want to know why the government has included banks within these public institutions.

2050

Again, it makes absolutely no sense. These are attacks on the working men and women of this province who, in a lot of cases, work in a unionized environment under contracts that have been freely negotiated between their unions and the employers they worked for at that given time. There seems to be almost a sinister atmosphere contained within the bill that somehow, if a union gets a particular contract or a job or it's done by unionized workers, somehow these people are getting too much money, that somehow we can do it on the cheap if we give it to non-unionized labour, when there may very well be safety concerns and when, as has already been pointed out tonight, individuals who are highly skilled may very well work for wages that are either minimum wage or close to it.

The conclusion I've come to and that my colleagues have come to is that this piece of legislation doesn't do anything for the employees in this province. All it does is attack them. All it does is take away their rights. To somehow couch it under the terms that you're trying to create a balance, to my way of thinking, is totally unfair and it's untrue. It is very much, in that regard, along the same lines as Bill 69 that we talked about this afternoon, where again the government said, in that piece of labour legislation, that that was a balanced approach, that in that case they had obtained the consent—under threat—of the various unions involved. Yet letter after letter read out this afternoon from one union after another clearly showed that that piece of legislation was not something arrived at by the basis of consensus or as a result of discussions with the province. None of these unions liked what was going on with respect to Bill 69, or even felt it was the most draconian piece of legislation this government has brought in yet when it comes to labour legislation.

I suppose the people of Ontario should really be asking themselves why it is that the Harris government, particularly in the last two or three years, seems to be bent on only one thing, that is, to divert attention away from the real problems out there—in health care, in water safety, as in the Walkerton situation—by picking phony fights with different groups and different individuals out there: teachers one day, unionized workers the next day, teaching federations one day, unions the next day. It is not something that speaks to the notion of fairness that I think we should all be striving for in this province.

The Deputy Speaker: Questions or comments?

Mr Christopherson: I'd like to comment on some of the remarks of a couple of my colleagues from the official opposition. First of all, to the member for Hastings-Frontenac-Lennox and Addington, while I agree with her criticisms and concerns about Bill 139, I do want to point out that one of her criticisms was that this government in Bill 7 removed the ban that the NDP

had placed in law under Bill 40 regarding the use of—I'm not going to use the nice little term "replacement workers"—scabs. It was about scabs. We had a law in this province that said scabs are illegal, period. I just want to point out that the Liberals ran on a platform exactly the same as the Tories'. They were going to repeal that banning of scabs just the way the Tories did, and I'm surprised they would want to mention that during their criticisms. It's a distinct difference between the criticisms we have and they have in terms of what we're prepared to do to back up our position, not only in platform but in law since we had already brought that law in.

Having said that, let me also comment on the remarks of my colleague from Hamilton East. On a number of occasions I've heard Mr Agostino make reference to his personal situation with regard to his dad, and I want to say very directly that any time any of us uses personal experiences it's a very emotional thing. It comes deep from within and there's a strong belief. I watched some of the members across the way—I won't name names—and they were moved by that. I want you to think, if it was your son or daughter, how you'd feel.

Mr Bob Wood (London West): I do not share some of the reservations expressed by the speakers from the Liberal Party, and I'd like to set out briefly why.

This bill, of course, flows from the commitment made in the PC Party platform of 1999 to enhance workplace democracy, and I think it does exactly that. I support the concept of workplace democracy because I have great confidence in the workers of this province and their good judgment. To exercise good judgment, however, one must be informed and one must have the right to make one's views known, and that is what this bill tries to accomplish.

The people are informed by the salary disclosure so they know what the people at the top of their organization are earning from their dues, and they also are informed as to how to go about decertification should that be their wish. Employers of course are forbidden to promote decertifications, and that may well be a good provision, but surely it is also good to give the workers the information they need should they chose that route as being right for them.

The longer period during which decertifications may be considered I think is a good thing, because it gives people the right to express their views as they see to be in their interest.

The concept of splitting the questions between ratification of a contract and a strike I think is good. That gives the people who are directly involved the right to give differing opinions, if they see fit, on two quite separate issues.

I also think the requirement that in effect a decision must be rendered by the Labour Relations Board within six months is a very sound provision because it avoids people being victims of bureaucratic delay.

Mr Michael Gravelle (Thunder Bay-Superior North): I want to compliment my colleagues from

Hamilton East, Sarnia-Lambton and Kingston and the Islands on their thoughtful and strong remarks, particularly the member for Hamilton East. I was also very touched by the personal story he told in terms of his father's very tragic accident when he was just 35 years old and the fact that he was working in an environment where indeed safety was not the number one concern.

What troubles me so much about this piece of legislation, and I think it should trouble all of us here, is that this legislation obviously, most directly, makes it much easier to decertify a union. In essence it's set up, as so much of the legislation has been over the last five years, as an attack on the union movement in this province, and the facts are clear about safety in the workplace. The facts are incredibly clear. A unionized workplace is a much safer place to work than a non-unionized workplace. The accident rate is 250% higher in a non-unionized workplace.

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What I find upsetting is that this is a minister who last week attended a health and safety conference in Thunder Bay called Forum North, that my colleague from Thunder Bay-Atikokan and I also attended, where the priority was safety. The minister went there. I've also put forward a private member's bill called An Act to bring health and safety programs to Ontario students, which the minister says he is supporting. The point being, this minister on the one hand talks about the importance of safety, supports it in every measure it seems, yet puts forward a piece of legislation that I think could truly have a devastating impact on the safety of our workers in this province. Surely that has to be considered when one is deciding how to vote for this piece of legislation. Ultimately, the bottom line is that it ends up being a dangerous piece of legislation when the priority is to have fewer unionized workers out there in the workplace. I for one, and I hope all the other colleagues, will vote against this bad piece of legislation.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'd like to respond to the comments made by the various members of the Liberal caucus. It was interesting listening to some of their comments, particularly as I watched this particular caucus when they were in opposition against the New Democratic government and how they criticized the New Democratic government, particularly with the famous Bill 40, the employment equity bill or quota bill, the unionizing of the family farm. There was a whole slew of things they joined the Conservative caucus in opposing, and that was done because both the Liberal and Conservative caucuses were concerned about the way the economy of the province was going. One of the many factors that contributed to that concern was the issue of the labour laws in this province as created by the New Democratic government, the Bob Rae government at the time. They spent a great deal of time with us in criticizing the then government—

Interjection.

Mr Tilson: Well, it's true. That's exactly what you did.

I must confess, although I never agree with the New Democratic caucus, they are consistent. They're as consistent as they were between 1990 and 1995, and of course we strongly opposed everything they did then and we strongly oppose the comments they're making now.

I must confess, when I listened to the comments made by the minister this evening as to what this legislation is doing, requiring the disclosure of salaries and benefits for all union officials earning in excess of \$100,000 annually—what's wrong with that? What's wrong with union members knowing what their union officials are going to make? Union members pay dues and they certainly deserve to know where their money is spent.

The window for decertification of a union would be increased from 60 to 90 days—

The Deputy Speaker: Thank you. Response?

Mr Agostino: I want to thank my colleagues, particularly Hamilton West and Thunder Bay-Superior North for their kind words, and also my colleagues from London West and Dufferin-Peel-Wellington-Grey for their response on behalf of members who have spoken here.

I was interested in listening to the government members because I asked a number of questions when I spoke. One of the questions was, why should banks be afforded the protection of this government in order to have non-unionized and unionized companies compete for their jobs? You included them with municipalities and school boards. I was listening carefully, hoping one of the government members would take up the challenge and explain to me why banks who make profits in excess of a billion dollars a year need your protection and your help in making more money. Obviously, my theory earlier was that they can buy your \$25,000 tables for your fundraisers. The more money they can make, the more tables they can buy. Until you say something different, that's what I believe. I'm hoping that somewhere in this debate in the next few days somebody from the government side will find it in themselves to come clean and tell us why banks need your protection today across this province. Maybe you think they're not making enough money. I'm not sure.

When you talk about this being balanced, again I say to the members, who did you consult? I'll tell you: your big business, corporate friends at the Albany Club and on Bay Street and in the boardrooms. Who'd you consult across Ontario? What labour leaders? What working men and women? Which plant did you go into? Which shops did you go into when you decided this was the best thing to happen?

The last member who spoke from the government side of the House talked about the economy, what it was like under the NDP and Liberal governments. I always warn my NDP friends, take very suspiciously any compliment coming from that side of the House because it's usually a backhanded compliment before the knife gets stuck into your back.

Clearly, the economy is moving well. People are working. Business is booming. We have labour peace, we

have labour stability in Ontario. These are the things you always tell us across the floor and you take credit for it, although I disagree with that. But the reality is that it is happening. Why are you threatening to disrupt all that, to bring that to a halt and go into labour war across Ontario at a time we have stability and peace?

Mr Joseph Spina (Brampton Centre): On a point of order, Mr Speaker: I would just like to take this opportunity to welcome the members of the Northern Ontario Tourist Outfitters Association who are our guests here in the government gallery.

The Deputy Speaker: As you are aware, that is not a point of order and you can't do that, but welcome.

The member for Hamilton West.

Mr Christopherson: Thank you, Speaker. By the clock it looks like I'll get about 20 minutes of my leadoff in tonight.

I want to start by picking up on a couple of things the minister said in his remarks. I don't have the benefit of Hansard for direct quotes, so if I misrepresent, I'm sure I'll hear about it from him and I'll be glad to correct my own record.

However, in essence, one of the things he talked about, or rather an allegation he made, I guess you could say, was that I and my colleagues in the NDP don't represent current thinking, that our thinking is outdated. Let me suggest to the minister that the notion, the concept, the principle, the idea that everybody deserves an opportunity to benefit from the gifts we have been given here in Ontario, and as a result of the fruits of their own labour, is an idea and a way of thinking that is timeless.

Is the minister suggesting that because it's a concept that first arose centuries ago—it took a long time to implement it as a way of living in society but that's called progress—that just because it isn't something that came out of your cabinet meeting two weeks ago, that makes it a bad idea?

This is a government that likes to talk about the fact they care about the family. When we get around to talking about some of the details, in particular the changes to the Employment Standards Act that you're proposing, a 60-hour work week, we're going to talk about the impact on the family then, not your pious words but the real reality, all the reality of what you're going to do to the quality of life of virtually tens of thousands of families.

While I'm on the subject, let me mention there's another concept you purportedly believe in, a little thing in a book that's been around a little while—I want one of you to stand up in your two-minute response and tell me that this is outdated thinking—and the book is called the Bible. What about the idea of love thy neighbour? Where did that go in all of this? Don't talk to me about outdated thinking and who is thinking about the principles that matter in this House.

Since he happened to throw in the question, "Who do you represent?" first of all, I proudly represent about 100,000 Hamiltonians. They deserve to have a voice in here and they deserve to have that voice respected—not

me, but their representative. While I'm on the subject, before you eliminated a number of MPPs from this place, half of my current riding used to be represented by one of your people. They aren't in here any more. So don't talk to me about who has a right to be here and who represents people's interests and who represents thinking that matters and affects our communities and the working people who are in them.

We have before us now two pieces of a three-fisted attack on the labour movement: Bill 69, which we debated this morning; Bill 139, which we're debating this evening; and the Employment Standards Act, which we're expecting to be dropped on the floor of this place and probably rammed down our throats within a matter of days or weeks. It's a three-fisted attack, part of a continuing attack from the day you were elected.

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It's the same government that announced with such pride that they were cutting the income of the poorest of the poor by 22%. One of the few ways that those who don't have power, don't have means, don't have connections, don't have all the benefits that many of us here had, whether that's health, wealth or ability, one of the few ways they get a chance to participate in the wealth of this province is through unions and the labour movement.

This three-fisted attack has one purpose: to water down and take away the rights of, in most cases, the most vulnerable in our society to have access to one of the few tools that lets them try and even up the power struggle that exists in this province in terms of who benefits from the wealth we generate in Ontario.

You've called this—what do you call it?—workplace democracy. I've got to believe that, at this point, surely to goodness people are beginning to catch on that there are light years of difference between what you say a bill is about and what you call it and what it does. Surely to goodness that message is getting through.

Do you know what the labour movement is calling this? The more workplace firings act. If you want to question what that means, even under your current legislation that has taken away rights for organizers, look at what's happening to those workers who have been fired from Drycore, who should have had their day in court a long time ago and would have under the NDP legislation under expedited hearings. They're still waiting out there. They haven't even had their day in court. They've been fired cold for being involved in an organizing drive.

Do I hear the Minister of Labour standing up and saying, "We've got a problem. I made a mistake. There are some innocent people being hurt. I better fix that"? No, we've got another bill that sets up more workers to be fired for trying to bring some real democracy, not Mike Harris democracy, to the workplace.

There have been a lot of editorials and comments written about Bill 139. There are a number of them, certainly not all, not even a majority but a number of them, that are suggesting, "This isn't so bad. It's not the end of the world. The Rand formula is still in place."

That's what we've come to in this province. Because you aren't yet, today—does anybody really want to bet that it is not on their agenda at some point?—because the Rand formula is not being removed under Bill 139, you've got a whole chunk of the population breathing a sigh of relief and saying, "Thank goodness for that." Why? Because the Rand formula of course is the foundation of the modern day labour movement. I have no doubt in my mind and in my heart that that's your ultimate goal, that that's the one you really want. Once you've got that one, then you can really start dismantling the modern day labour movement. Then you can continue with the rest of your agenda: lowering wages and lowering benefits at a time when we have the greatest economic boom in North America. I can only imagine what you would do during a recession, where you would use the recession as an argument for having to take away rights. You don't even have that flimsy shield of an excuse here.

The fact that you're not completely decimating the labour movement in one fell stroke is now seen as a victory, for goodness' sake. That's a victory: union-busting by stealth, step by step, a little bit at a time; one drop, another drop, another drop; one right gone, another right gone, this right gone. Slowly, by stealth, we go from a labour movement that has played probably the single biggest role in bringing about the progressive programs and measures that made this the best place in the world to live as chosen by the United Nations. The labour movement did that. They brought us overtime.

One of the members over there laughs. The good doctor is laughing. Let me tell you, if we had to rely on you, there wouldn't be any weekends. In fact, under your proposed changes to the Employment Standards Act, there won't be any weekends for tens of thousands of workers. The labour movement brought us vacations, not you, not your kind of thinking. In fact, you're planning to take away the right to have a decent vacation. So don't you sit there and smirk when I say the labour movement has played the pre-eminent role in bringing about the progressiveness that has made this the greatest country and the greatest province to live in in the world. Don't you dare. You have no right.

Slowly, by stealth, you take away rights, just as you took away environmental protection: some rights gone here in the Planning Act, cuts to ministry funding, cuts to the inspectors, less enforcement of whatever protection is in place, and you have done that in virtually every area. Labour has been the real issue that makes you salivate, because that's the one you can pay back your friends with. Remember the friends, the ones who filled your coffers, \$12 million in corporate donations after you unilaterally changed the law to allow them to contribute 50% more than they could before you had a majority government?

Tonight we deal with one fist of the three-fisted attack on the labour movement. Tonight it's about decertification. Where you've got a union, let's just change a few rules to slowly make it easier for unions to be

decertified. Let's create a climate and allow a climate to be created in the workplace where an employer can nudge their employees through intimidation, which you've also allowed in previous laws, another little step in your incremental union-busting by stealth.

What exactly do I mean? OK, it's not the Rand formula, you're not eliminating the Rand formula. You're not going to get any thanks from me. But I want to know how it's progressive that you open the window for decertification from 60 days to 90 days. You must think the public is stupid. A right-wing government that has made unions and their members and working people its favourite target comes along and expands the time when unions can be decertified, and somehow you think people are going to buy the fact that this is about democracy. Give me a break. Give the people of Ontario a little more credit than that. Is it the end of the world? No. Is it one more piece that moves us from a world you want to destroy to the world you want to create? Oh yeah, for sure that is an accurate description of that one piece, another step in union-busting by stealth.

The mandatory ban in and of itself, if that's all we had in front of us, would that be the end of the world? No, probably not, but it is one more piece. What is so insulting is that while all these pieces go in the direction of taking away workers' rights to choose to be in a union, to exercise that right, for the unions to sit down and have fair collective bargaining so they can at least get their fair share of what they're creating in this province, the massive wealth we're all fortunate enough to be a part of—it's going in that direction; it sure as hell isn't going the other way. You're not adding to anybody's rights here, or you wouldn't be doing it.

2120

The one-year mandatory ban: what does that mean? Right now under the law, if there's an organizing drive in a workplace and one particular union, union A, fails either because they withdraw or because the certification process isn't successful for them, they're banned from reapplying for a year. However, another union could come along and make an application. You are changing that to banning all unions from making an application for a full year.

First of all, there is a serious legitimate constitutional question in terms of our Charter of Rights and Freedoms—freedom of speech, freedom of association. You're denying workers the opportunity to choose union B, C or D. They may want a union; they just may not want union A. There's a legitimate argument that you've denied them their rights. The first thing that cropped up in my mind, and I'm not a lawyer, was, "What if they found either some sham employee association or picked a union they knew really didn't have much of a chance, because maybe they historically weren't involved in representing workers who perform that kind of work, and encouraged them to come in?"

All you have to do is have one organizing drive come in and fail and everybody else is stopped from coming in. Pretty good. Don't think for a second that those union-busting firms that are coming up from the United States

and proliferating in this province—they are the ones who are doing a lot of the dirty work, hiring these scabs and helping to keep unions out, utilizing the laws you've passed—won't find ways to find that sham process, come in and then give the employer a free year. "There you go, there's your bill, one year of union-free workplace."

I've only got a couple of minutes left before we adjourn for the evening, but tomorrow evening when we continue this debate I'm going to want to talk about just about every other thing that's in here, what their implications are and how they play a role in being part of union-busting by stealth. When you stand back and paint the picture—we don't have the time to do that any more. What a coincidence. Talk about democracy. Where's the democracy in this place? Where did it go?

But if you stand back and take a look at the world of the rights working people had when you took power in 1995 and then take a look at where we're going to be at the end of Bill 69, Bill 139 and your attack on the Employment Standards Act—never mind incrementally, just go picture one and picture two and take a look at those two worlds—it's pretty clear what's going on, because you eliminate the stealth aspect and it suddenly gets very clear that nobody is gaining democracy here.

What you're doing is taking away rights that ordinary people—middle-class working people, vulnerable people, well-paid people—had and giving them to those who helped put \$12 million into your re-election coffers.

What's happening to those who don't have the benefit of a collective agreement, when we talked about the Employment Standards Act, ought to scare the living hell out of everybody. It's all part of the same picture; it's all part of the same denial of rights—no different than that you paid for your reduction in the premiums to WCB for those same corporate donors by taking away the income of injured workers. That's how you paid for it.

In fact, the Minister of Labour stood here just a couple of weeks ago and bragged about how much you lowered the premiums. I didn't see him offering an apology for lowering the standard of living for workers who are injured on the job, like my friend from Hamilton East's dad.

Speaker, it being close to 9:30 of the clock, I would move adjournment of the debate.

The Deputy Speaker: It being 9:30 of the clock, this House stands adjourned till 1:30 of the clock tomorrow.

The House adjourned at 2126.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East / -Est	Agostino, Dominic (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Lankin, Frances (ND)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Huron-Bruce	Johns, Hon / L'hon Helen (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiles, de la Culture et des Loisirs, ministre déléguee aux Affaires des personnes âgées et à la Condition féminine
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Tourism / ministre du Tourisme	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Cambridge	Martiniuk, Gerry (PC)		
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Don Valley East / -Est	Caplan, David (L)		
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Durham	O'Toole, John R. (PC)		
Eglinton-Lawrence	Colle, Mike (L)	London West / -Ouest	Wood, Bob (PC)
Elgin-Middlesex-London	Peters, Steve (L)	London-Fanshawe	Mazzilli, Frank (PC)
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	Markham	Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général
Essex	Crozier, Bruce (L)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail	Mississauga East / -Est	DeFaria, Carl (PC)
Etobicoke North / -Nord	Hastings, John (PC)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa-Orléans	Coburn, Brian (PC)	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
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Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Frank Mazzilli, John R. O'Toole, Steve Peters,
R. Gary Stewart, Wayne Wettlaufer
Clerk / Greffière: Anne Stokes

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Bert Johnson, Morley Kells, Tony Martin,
Joseph Spina, Bob Wood
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Lyn McLeod, Marilyn Mushinski
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Jean-Marc Lalonde, Jerry J. Ouellette, R. Gary Stewart, Joseph N.
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Garfield Dunlop, Raminder Gill, Pat Hoy,
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Clerk / Greffier: Douglas Arnott

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